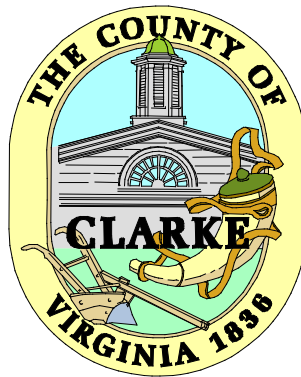


# Clarke County Board of Supervisors



## Regular Meeting Packet January 15, 2019



# Clarke County Board of Supervisors Regular Meeting Agenda

Main Meeting Room Berryville / Clarke County Government Center  
101 Chalmers Court, 2<sup>nd</sup> Floor, Berryville, Virginia

| Item  | January 15, 2019 | Packet Page |
|---|------------------|-------------|
| <b>Afternoon Session 1:00 PM</b>  |                  |             |
| 1. Call To Order  |                  | 5           |
| 2. Adoption Of Agenda   |                  | 6           |
| 3. Citizen's Comment Period   |                  | 7           |
| 4. VDOT Update  |                  | 8           |
| 5. Set Public Hearing Antenna Support Structures Zoning Ordinance Text Amendment TA-18-01. <b>Action: Set public hearing for February 19, 2019, at 6:30 pm or as soon thereafter as the matter may be heard.</b>  |                  | 9           |
| 6. BoS Minutes  |                  |             |
| – December 11, 2018, Regular Meeting  |                  | 20          |
| – December 18, 2018, Regular Meeting  |                  | 26          |
| 7. Consent Agenda   |                  | 56          |
| – FY2020 Budget Calendar Approval   |                  | 57          |
| 8. Board of Supervisors Personnel Committee Items for January 07, 2019  |                  | 58          |
| A. Expiration of Term for appointments expiring through March 2019. <b>Action: The Personnel Committee recommends the following:</b>  |                  | 59          |
| – John Milleson, Economic Development Advisory Committee, to a four-year term expiring December 31, 2022.   |                  |             |
| – Brandon Stidham, Northern Shenandoah Valley Regional Commission, to a three-year term expiring January 31, 2022   |                  |             |
| 9. Board of Supervisors Organizational Meeting & Work Session Items for January 07, 2019  |                  | 70          |
| A. Organizational Items. <b>Action: Information only.</b>   |                  | 70          |
| – Elect Chair. <b>Action: Information only – David Weiss 2019 Chair</b>   |                  | 70          |
| – Elect Vice Chair. <b>Action: Information only – Beverly McKay 2019 Chair</b>  |                  | 70          |
| – Set Meeting Date, Time, and Location. <b>Action: Information only – schedule adopted as presented.</b>  |                  | 73          |
| – Adopt Rules of Procedure. <b>Action: Information only – adopted as presented.</b>   |                  | 74          |
| – 2018 Chair Appointments Review. <b>Action: Final review and approval of 2019 Chair Appointments.</b>  |                  | 101         |
| – Annual Distribution: Title 2.2. Administration of Government Chapter 37. Virginia Freedom of Information Act and Title 42.1. Libraries Chapter 7. Virginia Public Records Act. <b>Action: Information only.</b> |                  | 104         |
| B. Distribution and Selection of New Clarke County Wordmark Logo. <b>Action: Information only.</b>  |                  | 165         |

Note: The order in which Agenda items are considered may be changed to assure that public hearings are started as close as possible to the scheduled time



# Clarke County Board of Supervisors Regular Meeting Agenda

Main Meeting Room Berryville / Clarke County Government Center  
101 Chalmers Court, 2<sup>nd</sup> Floor, Berryville, Virginia

| Item   | January 15, 2019 | Packet Page |
|--|------------------|-------------|
| 10. Board of Supervisors Finance Committee Items for January 7, 2019   |                  | 172         |
| A. Sheriff's FY2020 Budget Request. Action: Information only.  |                  | 172         |
| B. 106 North Church Lease Agreement. Action: Information only.   |                  | 172         |
| C. Bank Reconciliation Update. Action: Information only.   |                  | 172         |
| D. FY2018 Fund Balance Designation Adjustment. Action: The Finance Committee recommends adoption " <i>Be it resolved that the FY 18 year end fund balance designations be established per the attached document.</i> " [Referenced document in packet.]  |                  | 173         |
| E. School Supplemental. Action: The Finance Committee recommends setting public hearing for February 19, 2019, at 6:30 pm or as soon thereafter as the matter may be heard on, " <i>Be it resolved that FY 19 School Capital Projects budgeted expenditure and appropriation be increased \$287, 7 58, and be it further resolved that the designation of general fund balance for School Operating carryover be decreased in the same amount, all for the purpose of funding the capital projects request approved by the School Board at their December meeting.</i> " |                  | 174         |
| F. Bills and Claims. Action: <b>The Finance Committee recommends approval of the December 2018 Invoice History Report.</b>   |                  | 176         |
| G. Standing Reports. FYI: Reconciliation of Appropriation, Capital Projects Action: Information only.  |                  | 182         |
| 11. Joint Administrative Services Update   |                  | 184         |
| 12. Government Projects Update   |                  | 187         |
| 13. Miscellaneous  |                  | 188         |
| 14. Summary Of Required Action   |                  | 189         |
| 15. Board Member Committee Status Reports  |                  | 190         |
| 16. Closed Session [ <i>as necessary</i> ]   |                  | 191         |
| <hr/> <b>Evening Session 6:30 pm</b>   |                  |             |
| 17. Citizen's Comment Period   |                  | 192         |
| 18. PH 19-01: Pasture Palooza Music and Arts Festival Special Event Permit Application Medium Event [750 – 999] at 339 Minniewood Lane, Berryville for years 2019, 2020, and 2021. Applicant / Event Director: The Lot Presents, LLC / Samuel Creany   |                  | 193         |
| 19. Adjournment  |                  | 232         |
| <hr/>  |                  |             |
| Reports in January Packet:   |                  | 233         |
| – Building Department  |                  | 234         |
| – Commissioner of the Revenue  |                  | 246         |

Note: The order in which Agenda items are considered may be changed to assure that public hearings are started as close as possible to the scheduled time

Page 2 of 3

1/9/2019 10:44 AM



# Clarke County Board of Supervisors Regular Meeting Agenda

Main Meeting Room Berryville / Clarke County Government Center  
101 Chalmers Court, 2<sup>nd</sup> Floor, Berryville, Virginia

| Item                                      | January 15, 2019 | Packet<br>Page |
|---|------------------|----------------|
| - Fire & EMS                              |                  | 252            |
| - Zoning and Subdivision Ordinance        |                  | 253            |
| - Year-end Reports:                       |                  |                |
| o Economic Development Advisory Committee |                  | 255            |
| o Industrial Development Authority        |                  | 256            |
| o Joint Administrative Services Board     |                  | 257            |

Note: The order in which Agenda items are considered may be changed to assure that public hearings are started as close as possible to the scheduled time

Page 3 of 3

1/9/2019 10:44 AM



# Clarke County Board of Supervisors

---

## Call to Order

# **Adoption of Agenda**

# Clarke County Board of Supervisors

---

## Citizen Comment Period

# Clarke County Board of Supervisors

---

**VDOT**

**ZONING ORDINANCE TEXT AMENDMENT (TA-18-01)**

**Antenna Support Structures**

**January 15, 2019 Board of Supervisors Meeting – SET PUBLIC HEARING**

**STAFF REPORT – Department of Planning**

-----  
The purpose of this staff report is to provide information to the Planning Commission and Board of Supervisors to assist them in reviewing this proposed ordinance amendment. It may be useful to members of the general public interested in this proposed amendment.  
-----

**Description:**

Proposed text amendment to amend §§3-A-1-a-2, 3-A-2-a-2, 3-A-3-a-2, 3-A-12-a-2, and 3-A-13-a-2 (Accessory Uses and Structures -- AOC, FOC, RR, CN, and CH Districts); §3-C-2-u (Wireless Communication Facilities (WCFs)); §6-H-12 (Design Standards for Wireless Communication Facilities (WCFs)); and §9-B (Definitions) of the Zoning Ordinance. The purpose is to establish new regulations for structures designed for the express purpose of accommodating wireless internet service provider (WISP) equipment, television antennas, satellite dishes, or other communications equipment to a maximum height of 100 feet.

**Requested Action:**

Schedule Public Hearing for the Board’s February 2019 meeting.

**Background:**

This proposed text amendment was developed by Planning Staff and the Planning Commission’s Policy & Transportation Committee in response to concerns expressed by wireless internet service providers (WISPs) that serve the County. The Broadband Implementation Committee held a roundtable discussion with WISP representatives and other broadband industry companies on June 20, 2018 to discuss ways to expand access to broadband internet in the County. An issue that was raised by WISP representatives is the County’s prohibition on the use of lattice towers which in their opinion is a barrier to providing service to rural customers.

The regulations for wireless telecommunication facilities (WCFs) were significantly revamped in 2017 with the allowance of taller towers up to 199 feet and implementation of the WCF class system. One regulation that remained unchanged is that all WCFs have to use a monopole or stealth design and cannot use a lattice design. Lattice towers for cellular communications are more visible due to their size and are not conducive to stealth design or camouflage.

WISP representatives indicated that for customers lacking direct line of sight to a broadcast tower, it is often necessary to install their equipment on a small-scale lattice tower in order to establish that line of sight. Small-scale lattice towers are more commonly used by ham radio enthusiasts, have a smaller footprint, and are constructed from smaller gauge steel than a lattice tower used to support cellular communications arrays. The representatives stated that the small-scale lattice towers they use in other counties are typically no more than 24 inches in diameter with a maximum 8 foot radius from the center of the tower to the support legs. As a comparison, a typical lattice cell tower can have a radius from the center of the tower to the support legs of 15-18 feet. The representatives noted that small-scale lattice towers are easier and less expensive to install than a comparable monopole tower. They can also be maintained more easily because

a technician can climb a lattice tower whereas a bucket truck is needed to service a monopole. Some of the WISP representatives indicated that a small-scale lattice tower can also be used to provide broadband service to neighboring properties and that they can enter into profit-sharing agreements with homeowners who invest in these towers based on the number of neighbors who also use the tower.

WISP representatives stated at the meeting that they would like to be able to install small-scale lattice towers up to 120 feet and would prefer to be able to construct up to 80 foot towers with only a zoning permit from the Zoning Administrator. The Broadband Implementation Committee has recommended that the Commission consider developing a text amendment with the following parameters:

- Small-scale lattice towers up to 80 feet with a zoning permit issued by the Zoning Administrator.
- Towers over 80 feet to a maximum of 120 feet with a site plan review and approval by the Planning Commission.
- Minimum 100 foot setback from all property lines.

The Commission forwarded this item to the Policy & Transportation Committee. The Committee met on October 17 and agreed by consensus to support this proposed text amendment.

In developing the text amendment, Staff considered several approaches to incorporating new language for these structures into the wireless communication facility (WCF) regulations. The clearest and most direct approach is to create a new Class 6 for “Antenna Support Structures” and add new regulations to the WCF supplementary regulations (3-C-2-u) and the WCF design standards (6-H-12-a) and application requirements (6-H-12-b). A new definition for “antenna support structures” would be added to Article 9 as follows:

***A structure that is designed for the express purpose of accommodating wireless internet service provider (WISP) equipment, television antennas, satellite dishes, or other communications equipment at a desired height. Antenna support structures may be attached to or mounted on a structure or may be freestanding, and shall not include Class 1-4 wireless communication facilities (WCFs) or Class 5 amateur radio antennas.***

The amendment also addresses support structures that may be used by residents and businesses for television antennas, satellite dishes, or other communications equipment that would not fall under the regulations for Class 5 amateur radio antennas. Current regulations do not address mounting heights for these types of equipment so either the WCF regulations or the maximum structure height requirements for each zoning district would apply. The new Class 6 would include structures for mounting all of these types of antennas and equipment and not only WISP equipment. The definition indicates that antenna support structures are not Class 1-4 WCFs to provide one means of distinction from typical cell towers.

Regulations for Class 6 Antenna Support Structures are included for review in the attached text amendment draft and are summarized below.

- Antenna support structures can be either freestanding or can be mounted on or attached to a building or other structure (such as a silo).
- If mounted on or attached to a building or other structure, the maximum height is 80 feet above ground level (AGL) including the height of the building or structure. For example, an antenna support structure mounted on the roof of a house that is 30 feet tall can be no taller than 50 feet, for a total height of 80 feet AGL.
- Antenna support structures that are mounted on a building or structure would be allowed by-right with no zoning permit requirements. Those that are installed in the ground and attached to a building or structure for additional support would require zoning permit approval to verify setback compliance.
- If the antenna support structure is freestanding, it can be a maximum height of 100 feet AGL. A zoning permit issued by the Zoning Administrator would be required for a freestanding antenna support structure.
- The maximum height of an antenna support structure shall not exceed the maximum height of the tree canopy on the topographic crest of the Blue Ridge Mountains. This requirement also applies to Class 1-4 WCFs.
- Antenna support structures can be a monopole or lattice design and may be guyed if necessary. In order to reflect the smaller scale as compared to WCFs, there is a maximum width requirement of 8 feet for the antenna support structure and its foundation (maximum footprint of 64 square feet).
- Antenna support structures that are freestanding or are attached to a building or structure would have a minimum setback of 100 feet. Setback is to property lines, public rights of way, and private access easements.
- If an antenna support structure is guyed, all wires and anchors must have a minimum setback of 50 feet from property lines, public rights of way, and private access easements. Staff originally proposed requiring all guy wires and anchors to be located within the setback area for the antenna support structure. David Williamson (Winchester Wireless) expressed concerns at the Commission's Public Hearing that this would require guyed antenna support structures to be set back more than the minimum 100 feet in order to accommodate the guy wires and anchors. He requested that wires and anchors be allowed in the setback area. As a compromise, the Commission established a 50 foot setback for wires and anchors. This mirrors an approach currently used in the Zoning Ordinance as a special 50% setback for certain building elements and architectural features (see 4-G-3-c).

- Staff currently recommends allowing Class 6 antenna support structures in all zoning districts as permitted uses with the exception of the Historic (H) Overlay District. Antenna support structures would be prohibited in the H District.

Staff notes that the term “antenna support structures” is currently used in a generic fashion in several places including reference to “co-location” as an allowable use and in the definitions for “co-location” and “wireless communication facility.” Amendments are recommended to these sections to avoid confusion with this new proposed use.

**Comments from the Public:**

The Commission conducted their public hearing on December 7, 2018. David Williamson (Winchester Wireless) stated the following concerns with the text amendment as it was presented to the Commission:

- The maximum structure height should be increased to 120 feet to ensure that WISP equipment can extend above the tree canopy.
- The minimum setback distance should not be 100 feet in all cases. Rather, the setback distance should be equal to the structure height.
- If a structure is guyed, the guy wires should not be required to be included in the setback area.
- Some allowance should be given to a moderate increase over the tree canopy along the crest of the Blue Ridge.

Wes Ambrose (Winchester Wireless) stated that the antenna support structures installed by his company are small and unobtrusive.

**Planning Commission Recommendation:**

The Commission voted 9-1-1 (Nelson NAY, Kruhm absent) to recommend adoption of the text amendment to the Board of Supervisors. In opposing the motion to recommend adoption, Commissioner Nelson stated that he is concerned with the potential proliferation of antenna support structures without knowing how many of the structures are actually needed to provide service to the public.

**Staff Recommendation:**

Staff has no outstanding concerns with the adoption of the text amendment.



**History:**

- November 2, 2018.** Commission voted 10-0-1 (Buckley absent) to schedule Public Hearing for the December 7, 2018 Business Meeting.
- December 7, 2018.** Commission conducted the Public Hearing and voted 10-0-1 (Kruhm absent) to defer consideration for one month to the January 4, 2019 Business Meeting. The Public Hearing was closed.
- January 4, 2019.** Commission voted 9-1-1 (Nelson NAY, Kruhm absent) to recommend adoption of the text amendment to the Board of Supervisors.
- January 15, 2019.** Placed on the Board's January meeting agenda to schedule Public Hearing.

**Ordinance Amendment Text (changes shown in bold italics with strikethroughs where necessary):**

## **ANTENNA SUPPORT STRUCTURES**

### 9-B DEFINITIONS

***Antenna support structure – A structure that is designed for the express purpose of accommodating wireless internet service provider (WISP) equipment, television antennas, satellite dishes, or other communications equipment at a desired height. Antenna support structures may be attached to or mounted on a structure or may be freestanding, and shall not include Class 1-4 wireless communication facilities (WCFs) or Class 5 amateur radio antennas.***

Co-location -- The shared use of ~~an antenna support~~ **a** structure by two or more wireless service providers or other entities that operate antennas. Co-location may occur on structures other than wireless communication facilities (WCFs) including but not limited to water tanks, lattice towers, rooftops, utility poles, silos, and similar structures. The use of a non-WCF structure by one wireless service provider or other entity that operates antennas shall also be considered co-location.

Wireless Communication Facility (WCF) -- All infrastructures and equipment including, but not limited to, ~~antenna support~~ structures, antennas, transmission cables, equipment shelters, equipment cabinets, utility pedestals, ground equipment, fencing, signage, and other ancillary equipment associated with the transmission or reception of wireless communications.

#### 3-A-1-a-2 Accessory Uses and Structures (AOC District)

h. Co-location of ~~antennas on existing approved antenna support structures~~

#### 3-A-2-a-2 Accessory Uses and Structures (FOC District)

h. Co-location of ~~antennas on existing approved antenna support structures~~

#### 3-A-3-a-2 Accessory Uses and Structures (RR District)

d. Co-location of ~~antennas on existing approved antenna support structures~~

#### 3-A-12-a-2 Accessory Uses and Structures (CN District)

f. Co-location of ~~antennas on existing approved antenna support structures~~

#### 3-A-13-a-2 Accessory Uses and Structures (CH District)

f. Co-location of ~~antennas on existing approved antenna support structures~~

3-C-2-u Wireless Communication Facilities (WCFs):

2. Classes of Wireless Communication Facilities. WCFs shall be divided into the following classes:

*f. **Class 6. Freestanding antenna support structures with a height not to exceed one hundred (100) feet above ground level, and building or structure mounted antenna support structures with a height not to exceed eighty (80) feet above ground level.***

4. By-right uses. The uses listed in this subsection are deemed to be by-right uses subject to review and approval of a site development plan demonstrating compliance with this section, §6-H-12, and other applicable sections of the Zoning Ordinance:

*d. **Class 6 antenna support structures.***

*(1) **Freestanding.** A zoning permit issued by the Zoning Administrator shall be required for freestanding antenna support structures.*

*(2) **Building or structure mounted.** A zoning permit issued by the Zoning Administrator shall be required for an antenna support structure that is installed in the ground and attached to a building or structure for additional support. No zoning permit shall be required for an antenna support structure that is mounted on a building or structure.*

**ZONING DISTRICTS FOR WIRELESS COMMUNICATION FACILITIES**

| <b>Class</b>                         | <b>AOC</b> | <b>FOC</b> | <b>CH</b> | <b>CN</b> | <b>RR</b> | <b>Historic Overlay*</b> | <b>Historic Access Overlay*</b> |
|--------------------------------------|------------|------------|-----------|-----------|-----------|--------------------------|---------------------------------|
| Co-Location                          | A          | A          | A         | A         | A         | A                        | A                               |
| 1<br>(max 50')                       | P          | P          | P         | P         | P         | X                        | P                               |
| 2<br>(max 80')                       | P          | P          | P         | P         | P         | X                        | P                               |
| 3<br>(max 120')                      | S          | S          | S         | X         | X         | X                        | S                               |
| 4<br>(max 199')                      | S          | S          | S         | X         | X         | X                        | S                               |
| 5<br>(am. radio)                     | P          | P          | P         | P         | P         | P                        | P                               |
| <b>6 (antenna support structure)</b> | <b>P</b>   | <b>P</b>   | <b>P</b>  | <b>P</b>  | <b>P</b>  | <b>X</b>                 | <b>P</b>                        |

P - Permitted/by-right      S - Special Use  
A - Accessory use              X - Prohibited use

\* - Subject to the underlying zoning district regulations and compliance with overlay district review criteria.

**SUMMARY OF WIRELESS COMMUNICATION  
FACILITY CLASSES**

| <b>Class</b> | <b>Max Height</b>     | <b>Approval Authority</b>   | <b>Special Use Permit Required?</b> | <b>Site Plan Required?</b> | <b>Engineering Review Required?</b> | <b>Design</b>                                  |
|--------------|-----------------------|-----------------------------|-------------------------------------|----------------------------|-------------------------------------|--|
| 1            | 50 feet               | Zoning Administrator        | No - by right use                   | Yes*                       | Zoning Administrator's discretion   | Monopole or stealth w/surface mounted antennas |
| 2            | 80 feet               | Planning Commission         | No - by right use                   | Yes                        | Yes                                 | Monopole or stealth w/surface mounted antennas |
| 3            | 120 feet              | BOS with PC review          | Yes                                 | Yes                        | Yes                                 | Monopole                                       |
| 4            | 199 feet              | BOS with PC review          | Yes                                 | Yes                        | Yes                                 | Monopole                                       |
| 5            | Per State Law         | Zoning Administrator        | No - by right use                   | Yes*                       | Zoning Administrator's discretion   | Amateur radio antenna per State law            |
| <b>6</b>     | <b>80 or 100 feet</b> | <b>Zoning Administrator</b> | <b>No</b>                           | <b>No</b>                  | <b>No</b>                           | <b>Monopole or lattice</b>                     |

\* Depending on the nature and design of the Class 1 or Class 5 WCF, the Zoning Administrator has the discretion to waive certain site development plan requirements per §6-C.

NOTE – Co-location of new antennas and equipment on existing WCFs and other structures are approved administratively by the Zoning Administrator.

-----

6-H-12-a Design Standards

3. Height requirements.

- e. The maximum height of a freestanding Class 6 antenna support structure shall be one hundred (100) feet above ground level (AGL). The maximum height of a building or structure mounted antenna support structure shall be eighty (80) feet above ground level (AGL) including the height of the building or structure. Antenna support structures shall not exceed the maximum height of the tree canopy on the topographic crest of the Blue Ridge Mountains.*

7. **Siting and design requirements for Class 6 antenna support structures.** *The following regulations shall apply to the siting of antenna support structures:*
- a. **Size.** *The maximum width of the antenna support structure and foundation shall not exceed eight (8) feet, excluding wires and anchors if the structure is guyed.*
  - b. **Design.** *Freestanding antenna support structures may be a monopole or lattice design and may be guyed. There are no design requirements for building or structure mounted antenna support structures.*
  - c. **Building or structure mounted.** *Antenna support structures may be mounted on or attached to a building or structure at a maximum height of 80 feet above ground level (AGL) including the height of the building or structure. No zoning permit is required for a building or structure mounted antenna support structure.*
  - d. **Freestanding.** *Antenna support structures that are freestanding or that are attached to a building or structure shall be set back a minimum of 100 feet from any property line, public right of way, and private access easement. All wires, anchors, and other structures associated with a guyed antenna support structure shall be set back a minimum of 50 feet from any property line, public right of way, and private access easement.*

6-H-12-b Application Requirements

4. **Requirements for Class 6 antenna support structures.**
- (a) **Permit requirements.** *A zoning permit shall be required for an antenna support structures that are freestanding or that is installed in the ground and attached to a building or structure for additional support. No zoning permit shall be required for an antenna support structure that is mounted on a building or structure.*

**REVIEW PROCEDURES BY CLASS**

| Class          | Approval Authority                | Review Process   |
|----------------|-----------------------------------|--|
| Co-location*   | Zoning Administrator/<br>By-right | 1. Pre-application meeting held with Zoning Administrator, who determines whether engineering review will be required as well as whether any Article 6 requirements may be waived.<br>2. Site Development Plan application filed with Zoning Administrator.<br>3. Zoning Administrator acts on application within 60 days. |
| 1<br>(50' max) | Zoning Administrator/<br>By-right | 1. Pre-application meeting held with Zoning Administrator, who determines whether engineering review will be required as well as whether any Article 6 requirements may be waived.<br>2. Site Development Plan application filed with Zoning Administrator.<br>3. Zoning Administrator acts on application within 60 days. |

|                                  |  |   |
|----------------------------------|--|---|
| 2<br>(80' max)                   | Planning Commission/<br>By-right                                     | <ol style="list-style-type: none"> <li>1. Site Development Plan application filed with Zoning Administrator following required pre-application meeting.</li> <li>2. Application is routed to Planning Commission's Plans Review Committee, engineering consultant, Karst engineer, and other applicable agencies for review.</li> <li>3. Application forwarded to Planning Commission to schedule/hold public hearing once all reviewers have commented.</li> <li>4. Planning Commission acts on application within 60 days.</li> </ol>   |
| 3<br>(120' max)                  | Board of Supervisors with Planning Commission review/<br>Special Use | <ol style="list-style-type: none"> <li>1. Special use permit and site development plan applications filed with Zoning Administrator following required pre-application meeting.</li> <li>2. Application is routed to the engineering consultant, to the Planning Commission's Plans Review Committee, Karst engineer, and other applicable agencies for review.</li> <li>3. Application forwarded to Planning Commission to schedule/hold public hearing once all reviewers have commented.</li> <li>4. Planning Commission makes formal recommendation on application.</li> <li>5. Application forwarded to Board of Supervisors to schedule/hold public hearing.</li> <li>6. Board of Supervisors takes formal action on special use permit/site plan application.</li> </ol> |
| 4<br>(199' max)                  | Board of Supervisors with Planning Commission review/<br>Special Use | <ol style="list-style-type: none"> <li>1. Special use permit and site development plan applications filed with Zoning Administrator following required pre-application meeting.</li> <li>2. Application is routed to the engineering consultant, to the Planning Commission's Plans Review Committee, Karst engineer, and other applicable agencies for review.</li> <li>3. Application forwarded to Planning Commission to schedule/hold public hearing once all reviewers have commented.</li> <li>4. Planning Commission makes formal recommendation on application.</li> <li>5. Application forwarded to Board of Supervisors to schedule/hold public hearing.</li> <li>6. Board of Supervisors takes formal action on special use permit/site plan application.</li> </ol> |
| 5<br>(amateur radio)             | Zoning Administrator/<br>By-right                                    | <ol style="list-style-type: none"> <li>1. Pre-application meeting held with Zoning Administrator, who determines whether engineering review will be required as well as whether any Article 6 requirements may be waived.</li> <li>2. Site Development Plan application filed with Zoning Administrator.</li> <li>3. Zoning Administrator acts on application within 60 days.</li> </ol>  |
| 6<br>(antenna support structure) | <b>Zoning Administrator/<br/>By-right</b>                            | <ol style="list-style-type: none"> <li>1. <b>Zoning Permit application is filed with the Zoning Administrator.</b></li> <li>2. <b>Zoning Administrator reviews the application for compliance with setback, maximum height, and maximum width requirements; acts on application following completion of administrative review.</b></li> </ol>   |

\*Review procedure is the same for new distributed antenna systems (DAS) and upgrades/equipment maintenance on an existing WCF

December 11, 2018

Clarke County Board of Supervisors  
Berryville Town Council  
Joint Meeting  
Main Meeting Room

1:00 p.m.

At a joint meeting of the Berryville Town Council and the Board of Supervisors of Clarke County, Virginia, held in the Berryville Clarke County Government Center, 101 Chalmers Court, 2<sup>nd</sup> Floor, Berryville, Virginia conducted on Tuesday, December 11, 2018.

#### Board Members

Joint Session: Mary L.C. Daniel – Berryville District; David S. Weiss – Buckmarsh / Blue Ridge District; Terri T. Catlett - Millwood / Pine Grove District; Barbara J. Byrd – Russell District; Bev B. McKay – White Post District

Absent Session: None

#### Council Members

Joint Session: (Jay) Harry Lee Arnold, Jr., Recorder; Donna Marie McDonald, Ward One Council Member; Diane Harrison, Ward Two Council Member; Erecka L. Gibson, Ward Three Council Member; Kara C. Rodriguez, Ward Four Council Member

Absent Session: None

#### County Staff Present

David L. Ash, Cathy Kuehner, Brian Lichty, Brandon Stidham, Brianna R. Taylor, Lora B. Walburn

Town Staff Present: Keith Dalton, Christie Dunkle, Lisa Larrick, Neal White

#### Press

Bria Lloyd, WDVM; Mickey Powell, The Winchester Star

#### Others Present

Bill Waite



1) Call to Order

At 6:31 pm, Mayor Dickenson called to order the December 11, 2018, Berryville Town Council Meeting to order. Immediately after, Chairman Weiss called the Board of Supervisors Meeting to order.

2) Southeast Collector Road Discussion

Chairman Weiss expressed the Board's pleasure to meet with Town Council to discuss the transportation study for the southeast collector road.

Keith Dalton, Berryville Town Manager, provided an overview. Highlights include:

- In 1992, the Town and County entered into the Berryville Area Plan.
- Displayed land use map reflecting collector roads for each quadrant:
  - Mosby Boulevard, northwest collector, completed with Battlefield Estates.
  - Hermitage Boulevard, southwest collector, built as part of the Hermitage development.
  - Fairfax Street, northeast collector, will be completed when either the Fellowship Square property or the Shenandoah Crossing property develops.
  - Jack Enders Boulevard, southeast collector:
    - Developed in two pieces.
    - First half developed by the County, was accepted into the State road system.
    - Second half, also developed by the County, the last portion before the railroad tracks.
    - Many issues to be resolved before the public bodies can move forward.
    - Per Norfolk Southern Railroad, to install an at-grade railroad crossing, one or more at-grade crossings in the County must be eliminated to secure permission to add on Jack Enders.
- Staff drafted a transportation study scope to provide guidance on how to move forward.
  - Staff suggesting procuring a transportation engineer to evaluate how the southeast collector should be constructed.
  - Summary provided of key issues.
  - Determine Norfolk Southern's requirements for at-grade crossing, process, and costs.
  - Determine traffic impacts of the proposed project concepts on the existing road network.
  - Determine traffic impact of the proposed project concepts on existing roads in downtown Berryville.

- Determine impact on truck traffic.

Mayor Dickinson called for questions on general concept, project management, and project funding.

Chairman Weiss commented that the Supervisors have discussed working with the Northern Shenandoah Valley Regional Commission to select a transportation engineer from a firm that has been thoroughly vetted by NSVRC and the Commonwealth eliminating the need for an RFP. The County / Town would manage the project utilizing one of the firms that are under contract with NSVRC. Chairman Weiss opined that from the Supervisors' perspective it was a study that could be handled by staff with oversight from the public bodies.

David Ash provided that there were 14 firms under contract.

Keith Dalton stated that staff developed the \$50,000 estimate for the study, which they could not guarantee; however, he assured that staff would bear the budget in mind when negotiating.

Keith Dalton speculated that if approved tonight staff could begin discussions with firms mid-January.

Chairman Weiss confirmed for Mayor Dickinson that the County has \$25,000 in it FY2019 contingency to cover its half of the estimated cost.

Mayor Dickinson speculated that the project could begin sooner if County funds were used to begin the project; and, after the Town's budget went into effect, the Town could pick up the second half.

Chairman Weiss, on behalf of the Supervisors, said that the project had lingered and waiting six additional months for the Town's funding was not ideal. He opined that the Supervisors would be prepared to cover costs up to \$25,000 noting that the firm would bill out as tasks were completed.

Chairman Weiss requested Robert Mitchell prepare a formal agreement between the Supervisors and Council.

Mayor Dickinson asked for a proposed time frame from contract issuance to presentation of report.

Brandon Stidham indicated that it could be four to six months. He clarified that the firm would be asked to provide modeling and planning level estimates.

Supervisor Byrd interjected that this collector road has been discussed throughout her 18 years on the Board of Supervisors and has been an ever-changing palette. She encouraged moving forward with the study.

Supervisor Catlett commented that she liked the idea of working with a professional to review safety and traffic impact on downtown Berryville.

Supervisor Daniel added that there was nothing to be gained by delay.

Councilor McDonald concurred with previous statements about further project delays. She opined that proper information was needed to determine the best course of action. She also agreed with earlier comment by Supervisor Byrd that it might be determined that the project was not feasible.

Recorder Arnold remarked that the matter had been on the books for a long time and the time was right to move forward to determine what could be done. He noted the potential to expand tax revenue that such a project might bring.

Councilor Harrison expressed her agreement with other Council members.

Councilor Rodriguez put forth that the project had many benefits including economic development, public safety, and transportation; and, it was time to move forward. She asked for additional information about Norfolk Southern's requirements for railroad crossing.

Keith Dalton explained that when the process began Norfolk Southern wanted to see abandonment of two existing, at-grade crossings for the County to get a new at-grade crossing. He speculated that this was to reduce clutter on the rail. He assured the Council and Board that the railroad would be contacted during the study.

Chairman Weiss added that Norfolk Southern was contacted six to eight months ago; and, its answer was the same, closings of two existing, at-grade crossings. He further noted that the closings and upgrades are at the localities cost.

Keith Dalton put forth that the cost would be significant.

Supervisor Byrd asked about the crossing on Smallwood Lane.

Keith Dalton explained that it was a public road; but, in reality because of its small size, the road would have to be upgraded as well as the signalization. He also cautioned that stacking could be an issue.

Councilor Gibson stated that she supported the transportation study.

Chairman Weiss clarified that while this was a good step forward it was a very small step and he could not state enough the difficulties the Town and County would encounter to bring this effort to fruition. He opined that the length of time it has taken to move this forward is not an issue of neglect but rather a matter of very serious obstacles as well as high cost.

Mayor Dickinson concurred adding that if it was not started it would never finish. She put forth that the industrial park was a key to economic development but she could not see expanding the industrial park without the addition opining that the Town could not tolerate that much commercial traffic without the extension.

Councilor McDonald asked if there was any general idea of how this would affect residents in the proposed area.

Keith Dalton responded that there were many residents in this broad study area and there would certainly be property owners that were affected. He explained that the core of the study was to look at various aspects of how the road and any number of ways, configurations affect the residents in the study area.

Supervisor Byrd noted that the following from the proposal:

*Staff proposes that:*

- *out of pocket costs be shared equally between the Town and County*
- *Town and County staff would share equally in work load*
- *the Town would agree to be the fiscal agent for the project*
- *the County would be responsible for provision of required mapping information*
- *the Town Planner would serve as project manager.*

Chairman Weiss responded that he believed this was a reasonable approach; and while the Town and County were partners, the project was within the Town.

Keith Dalton added that the County Planner had done more of this type work than others and the Town would also be leaning on him for assistance.

Supervisor Daniel expressed her appreciation for the hard work of Town and County staff on this project opining that if this was what staff considered best it made sense to her.

Keith Dalton asked how the County wanted to proceed for if a memorandum of understanding was preferred it could be before Council January 8 and the Supervisors on January 15 depending on the availability of Robert Mitchell, Town and County attorney.

Mayor Dickinson requested clarification on when to make the motion.

Keith Dalton responded that adoption of the memorandum of understanding would be the action, which could be done at the individual meetings of the bodies.

Chairman Weiss expressed the Supervisors' appreciation to Town Council for its collaboration and to staff for the work performed.

Mayor Dickinson added that she believed this was a great opportunity to move both the Town and County forward.

Supervisor Byrd asked if a motion was needed to determine order for memorandum of understanding first or contacting Northern Shenandoah Valley Regional Commission.

Chairman Weiss responded that according to Mr. Dalton when each body reviews and approves the memorandum of understanding it would free staff to contact the Regional Commission and begin the process.

Supervisor Daniel asked if it would be appropriate to have a motion to pursue a memorandum of understanding to free staff to move sooner.

Keith Dalton responded that as long as both bodies were directing staff to pursue a memorandum of understanding it was all the action staff needed. Further, staff would not act until both bodies approved the memorandum of understanding.

Mayor Dickinson requested clarification that the memorandum of understanding would make it clear that the County pays for the first half of the study and the Town pays for the second half.

Keith Dalton responded in the affirmative.

Mayor Dickinson and Chairman Weiss agreed that there was consensus from both bodies to proceed with a memorandum of understanding to conduct a transportation study.

3) Adjournment

At 7:08 pm, Chairman Weiss adjourned the Board of Supervisors concluding the joint meeting.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, December 18, 2018, at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: December 11, 2018

\_\_\_\_\_  
David S. Weiss, Chair

\_\_\_\_\_  
David L. Ash, County Administrator

---

Recorded by Lisa Larrick, Clerk of Berryville Town Council, and Lora B. Walburn, Deputy Clerk to the Board of Supervisors  
Transcribed by Lora B. Walburn, Deputy Clerk to the Board of Supervisors

---

Meeting Minutes For December 11, 2018 – Berryville Town Council & Board of Supervisors Joint Meeting

December 18, 2018

Clarke County Board of Supervisors  
Regular Meeting  
Main Meeting Room

1:00 p.m.

At a regular meeting of the Board of Supervisors of Clarke County, Virginia, held in the Berryville Clarke County Government Center, 101 Chalmers Court, 2<sup>nd</sup> Floor, Berryville, Virginia conducted on Tuesday, December 18, 2018.

#### Board Members

Present Afternoon/ No Evening Session: Mary L.C. Daniel – Berryville District; David S. Weiss – Buckmarsh / Blue Ridge District; Terri T. Catlett - Millwood / Pine Grove District; Barbara J. Byrd – Russell District; Bev B. McKay – White Post District

Absent Afternoon/No Evening Session: None

#### County Staff Present

David L. Ash, Cathy Kuehner, Brian Lichty, Brianna R. Taylor, Alison Teetor, Lora B. Walburn

#### Constitutional / State Offices / Other Agencies

Tony Roper, Tom Judge

#### Press

Mickey Powell – The Winchester Star

#### Others Present

Claudia LeFevre; Ricard, Gennaro, Jeff Hinson

#### 1) Call to Order

Chairman Weiss called the afternoon session to order at 1:01 p.m.

#### 2) Adoption of Agenda

- Miscellaneous:
  - Add Town of Berryville and Clarke County Memorandum of Understanding Transportation Study – Southeast Collector
  - Add Notice 2019 Conflict of Interest Filing
  - Supervisor Byrd requested the addition of potentially four unnamed items.
- Add Closed Session for §2.2-3711-A3, Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

**Vice Chair McKay moved to adopt the agenda as amended. The motion carried by the following vote:**

|                  |   |     |
|------------------|---|-----|
| Barbara J. Byrd  | - | Aye |
| Terri T. Catlett | - | Aye |
| Mary L.C. Daniel | - | Aye |
| Beverly B. McKay | - | Aye |
| David S. Weiss   | - | Aye |

### 3) Citizens Comment Period

Richard Gennaro, Ebenezer Road: Asked the Supervisors to take a serious look at the one and a half car length acceleration lane on the westbound side of Route 7. His family uses this cross over requiring a u-turn to get back to Ebenezer Road. Mr. Gennaro stated that over the years he has spoken with Supervisors Catlett and Staelin about his concerns. He opined that this section is perilous particularly with the increased volume of commuter traffic. He further stated that several years ago VDOT extended deceleration lanes throughout the County. Mr. Gennaro opined that extending the lane up the mountain would be costly and suggested that VDOT move the turn around a couple hundred feet further west.

Supervisor Byrd added that there were two such areas in her district one just west of Triple J and the second cross over going into the honey factory.

Mr. Gennaro encouraged members of the Board to visit the area between 4 to 6 pm.

Chairman Weiss remarked that the Board was sympathetic and aware of many issues on Route 7 and the Board would continue to discuss these issues with VDOT.

Mr. Gennaro also spoke to internet availability. He said he was encouraged that the state and local government was discussing bringing quality internet to rural sections of the state. He asked the Supervisors to continue to support these efforts with state legislators.

4) Virginia Department of Transportation [VDOT]

Ed Carter, Residency Administrator, provided the following update:

Maintenance:

- The majority of the month has been dedicated to cleaning up debris and trees from storm related events.
- VDOT has repaired wash outs and regraded various secondary non-hard surfaced roads.
- VDOT has mobilized for two snow events, on significant and one minor.
- VDOT has completed approximately 33% of fall mowing and estimate two more weeks for completion.
- Contractors continue with brush cutting on secondary's and will carry into the next month along with state forces.
- VDOT plans to grade additional non-hard surfaced roads as well as shoulder work on primaries.

Board Issues:

- Speeding concerns: VDOT has taken readings on Triple J after Sheriff's enhanced enforcement. While speeding is still occurring, there was a drop in overall traffic exceeding 5 MPH above the posted speed limit of 10%.
- Morgan Mill no parking: The stake holders are currently exploring options to provide parking off of VDOT right-of-way.
- Safety Concerns – Routes 7 and 612:
  - Will not meet warrants for a signal.
  - Signals are becoming increasingly difficult to place on high-speed, high-volume primary roads due to the increased potential for rear-end crashes.
  - Crash history:
    - 10 crashes with 5 injuries in the past 5 years.
    - 70% were in the westbound lane
    - 50% were angle crashes – vehicles either turning into Route 612 from the eastbound side or trying to come out of Route 612 to the east bound side.
    - No fatalities in the past five years.
  - Major Issues:
    - Volume of traffic on Route 7.



- Vehicles entering and exiting the corner market that block site distance in the west bound side.
- Restructuring geometrics of the intersection would fix the problem; however, it would entail major construction taking down hillsides and vertical curves, which would require significant funding.
- Chairman Weiss asked VDOT to continue to look at ways to address concerns including making Route 612 less attractive to commuters.
- Chairman Weiss stated that he would support VDOT if it chose to close a portion of the store front access off Route 7. Ed Carter stated that VDOT could look at this option.
- To fund, the County must submit a smart scale project application. VDOT's planning group would meet with the County's Planning Director to assist in preparing the application. Mr. Carter advised that the County would be competing for funds statewide.
- Supervisor Byrd suggested closing Route 612 and using Blue Ridge Estates entrance. Mr. Carter advised that this option would present right-of-way issues, as well as bringing the road up to VDOT standards.
- Chairman Weiss informed VDOT that there was another accident on Route 7 this morning.
- VDOT extended deceleration lanes some years back in order to close an area with a substantial number of crashes. There may be future initiatives to work on crossovers. Mr. Carter will ask the traffic group to review.
- Route 7 Safety Audit:
  - Mr. Carter stated that VDOT might be able to conduct a safety audit on Route 7, at no cost to the County, and bring back recommendations to the Board.
  - Supervisor Catlett asked what a safety audit would entail.
  - VDOT will review data to determine where the most accidents, what types of accidents, etc. It will look at road access points, cross overs, intersections, etc. It will look at the potential need for new guardrail, rumble strips, wider shoulders, etc.
  - Vice Chair McKay asked if the audit would look at impacts on other roads of traffic pattern shifts that might result from major changes on Route 7. Mr. Carter stated that the audit would only study Route 7 and look at how to make that road as safe as possible.
- Supervisor Byrd suggested lowering the speed limit on Route 7 from 55 MPH to 50 MPH. Ed Carter put forward that VDOT's goal is to move traffic across its roads as fast and as safe as possible; and, when a speed limit on a road is set, it is set for what the road is designed to accommodate if drivers observe the speed limit. He put forth that Route 7 is designed for 60 MPH with a set limit of 55 MPH. However, people don't drive 55 on the road. He stated that the problem on Route 7 is being experienced all across the state. He noted that the major concern on I81 is speed

enforcement. Mr. Carter further commented that the public must determine what it is willing to pay to have enough law enforcement present to enforce the speed limit. He opined that VDOT cannot control the driver – it can only try to make its roads as safe as possible.

- Mr. Carter stated that VDOT would look at Ebenezer Road independently.
- In response to Mr. Carter's statement about the high number of private driveways off Route 7, Supervisor Daniel asked about access lanes to accommodate private driveways. Mr. Carter explained that these are usually considered in urban industrial areas and are expensive to do along Route 7.

Supervisor Comments:

- Supervisor McKay:
    - Howesville Road: Supervisor McKay will check to see if speed limit sign is erected and contact VDOT.
- 5) Set Date, Time, and Location - 2019 Organizational Meeting. Staff Recommendation: January 7, 2019, 10 am, Meeting Room AB, BCCGC, 101 Chalmers Court, 2<sup>nd</sup> Floor, Berryville, Virginia

By consensus set the 2019 Organizational Meeting for Monday, January 7, 2019, at 10 am, in Meeting Room AB, Berryville Clarke County Government Center.

- 6) Pasture Palooza Music and Arts Festival. Action: Staff recommends setting for public hearing Tuesday, January 15, 2019, at 6:30 pm or as soon thereafter as the matter may be heard.

David Ash summarized the permit application and staff recommendation.

Supervisor Byrd commented that Trevor Creany, prior event director, is taking over events at Watermelon Park; and, his brother, Sam Creany, will be taking over event management for Pasture Palooza. She put forth that the Ruritans were very impressed with the Creany brothers. Supervisor Byrd opined that constituents should be given an opportunity to speak.

**Supervisor Byrd moved to set public hearing for Tuesday, January 15, 2019, at 6:30 pm or as soon thereafter as the matter may be heard. The motion carried by the following vote:**

|                  |   |     |
|------------------|---|-----|
| Barbara J. Byrd  | - | Aye |
| Terri T. Catlett | - | Aye |
| Mary L.C. Daniel | - | Aye |
| Beverly B. McKay | - | Aye |
| David S. Weiss   | - | Aye |

7) Approval of Minutes

Supervisor Catlett moved to approve the minutes for November 20, 2018, as presented. The motion carried by the following vote:

|                  |   |     |
|------------------|---|-----|
| Barbara J. Byrd  | - | Aye |
| Terri T. Catlett | - | Aye |
| Mary L.C. Daniel | - | Aye |
| Beverly B. McKay | - | Aye |
| David S. Weiss   | - | Aye |

8) Consent Agenda

A. Resolution in Recognition of the Clarke County 4-H Program 2018-16R

RESOLUTION IN RECOGNITION  
OF THE CLARKE COUNTY 4-H PROGRAM  
December 2018

WHEREAS, the tomato canning clubs for girls and corn growing clubs for boys that existed in Clarke County in the early 1900s evolved into the Cooperative Extension System's new, nationalized 4-H program by the mid-1920s; and

WHEREAS, the name represents four essential aspects of human development — head, heart, hands, and health — and the 4-H goal is to develop citizenship, leadership, responsibility, and life skills; and

WHEREAS, for almost a century, countless thousands of Clarke County youth have gained invaluable skills by participating in 4-H programs focused on animal husbandry, agricultural crops, science, technology, engineering, math, finance, leadership, and community service; and

WHEREAS, over the years these youth have routinely represented the Clarke County 4-H program at state-level competitions; and

WHEREAS, in the 2017-18 year alone, 226 youngsters ages 5 to 19 were enrolled in eight active 4-H clubs, a significant increase over the previous year; and

WHEREAS, 4-H reached more than 500 Clarke County youngsters in 2017-18 through club enrollment and in-school programs; and

WHEREAS, 75 adult volunteers and 26 youth volunteers collectively gave 1,180 hours of their time to lead 4-H clubs and programs in 2017-18;

NOW, THEREFORE BE IT RESOLVED, the Clarke County Board of Supervisors does hereby issue this resolution in recognition of the Virginia Cooperative Extension Clarke County 4-H program for instilling in our youth the values we hold dear.

IN WITNESS THEREOF, I have set my hand and caused the seal of the County of Clarke, Virginia, to be affixed this resolution on the 18th day of December 2018.

Attest: David Weiss, Chair 2018-16R

**Supervisor Daniel moved to adopt the Consent Agenda as presented. The motion carried by the following vote:**

|                  |       |
|------------------|-------|
| Barbara J. Byrd  | - Aye |
| Terri T. Catlett | - Aye |
| Mary L.C. Daniel | - Aye |
| Beverly B. McKay | - Aye |
| David S. Weiss   | - Aye |

Chairman Weiss read the resolution and presented to Claudia Lefevre, Cooperative Extension Agent.

9) Board of Supervisors Personnel Item

A. Expiration of Term for appointments expiring through February 2019

Note: CPMT: Team recommends reappointment and both Dr. Colin Greene and Denise Acker are willing to serve another term.

FAPT: Team recommends reappointment and both Martia Myers-DePina and Gay Allen are willing to serve another term.

2018-12-10 Summary: The Personnel Committee recommended reappointment of:

- Thomas Cammack, Barns of Rose Hill Board of Directors, to a term expiring December 31, 2021
- Colin Greene, Community Policy and Management Team, to a term expiring December 31, 2021
- Denise Acker, Community Policy and Management Team, to a term expiring December 31, 2021

- Walker Thomas, Conservation Easement Authority, to a term expiring December 31, 2021
- Peter Engel, Conservation Easement Authority, to a term expiring December 31, 2021
- Martia Myers-DePina, Family Assessment and Planning Team, to a term expiring December 31, 2021
- Gay Allen, Family Assessment and Planning Team, to a term expiring December 31, 2021

2018-12-18 Action: David Ash summarized the Committee's recommendation.

**Vice Chair McKay moved to approve the Personnel Committee recommendations. The motion carried by the following vote:**

|                  |       |
|------------------|-------|
| Barbara J. Byrd  | - Aye |
| Terri T. Catlett | - Aye |
| Mary L.C. Daniel | - Aye |
| Beverly B. McKay | - Aye |
| David S. Weiss   | - Aye |

**B. Facility Closure Issues:**

- Compensation
- Notice
- Outside Agencies

2018-12-10 Summary: The Committee discussed various issues with the facility closure policy and agreed that the current closure policy was acceptable. The Board agreed that the County Administrator should notify other agencies following Clarke's policies that each should take into consideration travel conditions to their specific facility.

2018-12-18 Action: David Ash summarized the items reviewed by the Personnel Committee.

Supervisor Byrd added that there might be a need to expand personnel at the Department of Social Services.

**C. 2019 Holiday Schedule: Consider granting 8 additional hours holiday for Friday, July 5**

2018-12-10 Summary: The Committee deferred review to the December 18 regular meeting.

2018-12-18 Action: By consensus, the Board opted not to grant an additional eight hours preferring to wait for further action from the Office of the Governor.

D. Closed Session Pursuant to §2.2-3711-A1 Specific Employees or appointees of the Board - Individual Compensation and Leave Balance Review

2018-12-10 Summary: At 9:55 am, **Supervisor McKay moved to convene into Closed Session pursuant to §2.2-3711-A1. The motion carried as follows:**

**Beverly B. McKay - Aye**  
**David S. Weiss – Aye**

At 10:04 am, the members of the Board of Supervisors Personnel Committee being assembled within the designated meeting place, with open doors and in the presence of members of the public and/or the media desiring to attend, **Supervisor McKay moved to reconvene in open session. The motion carried as follows:**

**Beverly B. McKay - Aye**  
**David S. Weiss - Aye**

**Supervisor McKay further moved to execute the following Certification of Closed Session:**

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Board of Supervisors of the County of Clarke, Virginia, Personnel Committee has convened a closed meeting on the date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3700 of the Code of Virginia requires a certification by the Board of Supervisors of the County of Clarke, Virginia Personnel Committee that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Clarke, Virginia, Personnel Committee hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of the County of Clarke, Virginia.

The motion was approved by the following roll-call vote:

Beverly B. McKay - Aye

David S. Weiss – Aye

No action was taken following Closed Session.

2018-12-18 Action: Information only.

## 10) Board of Supervisors Work Session Items

### A. Legislative Priorities Review with State Legislators

Attendance: Mary L.C. Daniel – Berryville District; David S. Weiss – Buckmarsh / Blue Ridge District; Terri T. Catlett - Millwood / Pine Grove District; Barbara J. Byrd – Russell District; Bev B. McKay – White Post District; Delegate Gooditis, Delegate LaRock, Senator Vogel's District Director Conor Cochran, Jay Arnold, Berryville Recorder, Diane Harrison, Berryville Town Council Ward 2 Member, Pat Dickinson, Berryville Mayor; Monica Singh-Smith, School Board Chair, Chuck Bishop, School Superintendent; Sharon Keeler, Treasurer; Tony Roper, Sheriff; Mickey Powell, The Winchester Star; David Ash, Tom Judge, Cathy Kuehner, Melanie Radford, Brandon Stidham

Delegate Gooditis update:

- Eileen Fuller-Corn elected as 2019 House of Delegates Leader
- Issues to be addressed this session include: unearned tax credits, environment including solar power and water protection, education, transportation.
- Interstate 81:
  - Funds requested to provide more tow trucks and additional rest stops for large trucks.
  - Area focus on Exits 315, 316, 317.
  - With myriad competing priorities, urge affected localities to develop a plan to aid in securing funding.
  - Berryville Mayor Pat Dickinson:
    - Asked legislators consider unintended consequence of I81 upgrades and user fees opining that anything that makes I81 less attractive to use will increase traffic through Berryville on its primaries including Route 7 and Route 340.
    - Expansion of the inland port will increase traffic in Berryville.

- Tractor trailers through Berryville shake homes and air brakes disrupt the peace both negatively affect quality of life.

Delegate LaRock update:

- Previously drafted legislation to allow local jurisdictions to impose a tax on commercial and industrial properties to help fund I81 projects.
- Funds would be spent in the locality and used to help buy down project
- Is not supportive of raising sales or gas tax.
- Would entertain implementation of user fees on interstates for project funding.

Senator Vogel update by Conor Cochran, District Director:

- Senator Vogel was unable to attend due to unforeseen circumstances.
- Views are consistent with those previously expressed by the delegates.
- In agreement with I81 concerns.

Chairman Weiss: Priorities listed in alphabetic order, which does not reflect order of importance. Highlights of review include:

Issue: Camp 7 Parcel

- Senator Vogel instrumental in securing 66 acres of the Camp 7 site and the County is appreciative.
- The parcel is currently split between Clarke and the Department of Military Affairs [DMA].
- DMA intends to use its portion to store vehicles.
- Clarke views as a prime site for economic development.
- While there has been some interest in developing the site for a regional drug rehabilitation facility, the final decision is up to the Northwestern Community Services Board that has expressed concerns regarding the sites remote location from courts and services. Ongoing discussions with public and private sector about potential development of the site for this or other related purposes.
- Delegate LaRock suggested that Clarke develop a plan that would convey in quantitative terms the potential economic benefits.
- Request representatives to advocate securing the whole parcel for Clarke for economic development.

Issue: Broadband

- Essential for agriculture, economic development, emergency services, and education.



- Superintendent Bishop advised that according to a survey conducted by CCPS 187 homes, representing 315 students, are without internet access. CCPS makes hot spots available but the service is unreliable.
- Clarke supports localities right to regulate.
- Clarke is developing methodology to aide in advancing services throughout the county.
- Delegate LaRock stated that he continues to work with cooperatives and providers to remove barriers.
- Request representatives to explore improved fees, reasonable connection costs to existing poles, and incentives with sunset clauses as necessary.

Issue: Land Conversion for Nutrient Credit Program

- Clarke has 774 acres in this program.
- Program requires land establishes credit banks to offset pollution, HUC [Hydrologic Unit Code or watershed boundaries], land remain forestal in perpetuity, forever removing it from agriculture.
- Program conflicts with Clarke's comprehensive plan emphasizing preservation of agricultural land.
- Alison Teetor, Natural Resources Planner, asked to provide legislators with program information.
- Request representatives to:
  - o Further study the program and unintended consequences.
  - o Remove "adjacent" from legislation; currently, a credit bank in Clarke County can service five out the seven Potomac 8-digit HUCs.

Issue: Composite Index

- Request representatives to continue efforts to modernize application of the composite index and land use value versus assessed value.
- Delegate Gooditis suggested formation of a coalition by affected rural jurisdictions.
- Superintendent Bishop advised that a rural school coalition exists and is making contacts.

Issue: State Tax Reform, Cost and Revenue Shifting, and State Year-end Surplus Funds

- Request legislators look at fully funding localities to house state prisoners. Currently, state is reimbursing localities at \$12 per day.

School Superintendent Bishop, CCPS, priorities:

- Teacher shortages.
- Salaries

- Licensure requirements
- Thankful for reduction of SOL testing this year.
- While grateful for safety grant funds for equipment purchases, grant funds are also needed for “bricks and mortar” projects to improve safety.
- Continue support for School Resource Officers and/or School Security Officers.
- Continue support for dual enrollment at community colleges and work to establish uniform tuition fees.
- Seek to find ways to address mental health issues.

In conclusion, Delegate Gooditis asked the Board to consider conducting future review of its legislative priorities in October or November to better align with filing constraints.

Chairman Weiss adjourned the Work Session at 10:32 am.

2018-12-18 Action: David Weiss opined that it went well. Supervisors Catlett and Daniel expressed appreciation for having representatives all three legislators at the meeting.

11) Board of Supervisors Finance Committee Items

A. FY2010 Budget Calendar

2018-12-10 Summary: Draft for consideration prior to the January organizational meeting.

FY 20 BUDGET CALENDAR

. Draft

| Date                         | Time     | Location        | Event  |
|------------------------------|----------|-----------------|--|
| Wednesday, January 09, 2019  | 08:30 AM | 317 West Main   | Finance Committee: School Finance Invitation   |
| Monday, January 21, 2019     | 09:30 AM | JGC             | Staff Revenue Review   |
| Tuesday, January 22, 2019    | 05:30 PM | JGC             | Finance Committee: Revenue Review  |
| Monday, February 11, 2019    | 10:00 AM | JGC             | Budget Worksession: presentation by County Administrator                                       |
| Monday, February 11, 2019    | 05:30 PM | JGC             | Finance Committee: Agency presentations  |
| Wednesday, February 13, 2019 | 08:30 AM | 317 West Main   | Finance Committee: School Finance Invitation   |
| Thursday, February 14, 2019  | 05:30 PM | JGC             | Finance Committee: Agency presentations  |
| Tuesday, February 19, 2019   | 06:30 PM | JGC             | BOS Regular: Direction to County Administrator   |
| Thursday, February 21, 2019  | 05:30 PM | JGC             | Finance Committee  |
| Thursday, February 28, 2019  | 05:30 PM | JGC             | Finance Committee  |
| Monday, March 04, 2019       | 07:00 PM | JGC             | BOS Worksession: SB presentation (Special)   |
| Thursday, March 07, 2019     | 05:30 PM | JGC             | Finance Committee  |
| Monday, March 11, 2019       | 10:00 AM | JGC             | BOS Worksession until Final Number   |
| Thursday, March 14, 2019     | 05:30 PM | JGC             | Finance Committee  |
| Tuesday, March 19, 2019      | NA       | Winchester Star | Advertise in newspaper (if needed)   |
| Tuesday, March 26, 2019      | NA       | Winchester Star | Advertise in newspaper.  |
| Tuesday, April 02, 2019      | 07:30 PM | TBD             | Public Hearing (Jointly with School Board)   |
| Tuesday, April 16, 2019      | 06:30 PM | JGC             | BOS Worksession until final numbers; recess, then adopt budget and Appropriations Resolutions. |

St Valentine's Day?

2018-12-18 Action: The Supervisors reviewed the proposed budget meeting calendar. Issues raised include:

- Calendar again designed to correspond with regular work sessions.
- Supervisor Byrd has a conflict with the March 4 Work Session.
- John Staelin has a conflict with January 22 Finance Committee Revenue Review. He is available on January 21 or January 24.
- Meeting planned for February 14 could be schedule for an earlier start time.

B. 106 North Church Lease Agreement

2018-12-10 Summary The Finance Committee recommends that renewal of this agreement be postponed to the January meeting.

2018-12-18 Action: Tom Judge summarized.

C. Bank Reconciliation Update

2018-12-10 Summary: Clarke staff and an outside accounting firm continue work to reconcile the June 30, 2018, bank balance with the June 20, 2018, Munis cash balance. Presentation of the Financial Report is postponed until this reconciliation is complete.

2018-12-17 Action: Tom Judge stated that it should be complete by the second week of January. The auditors will take several weeks to complete and should have in time for budget decisions.

D. Conservation Easement: Opequon Cattle Company

2018-12-10 Summary: The Finance Committee recommends as follows:

*"Be it resolved that FY 19 budgeted expenditure and appropriations to the Conservation Easement fund be increased \$317,625, that revenue from the Federal government be recognized in the amount of \$211,750, and revenue from the Commonwealth be recognized in the amount of \$52,937, that existing Conservation Easement local funds be utilized in the amount of \$25,000, that Conservation Easement donation funds be utilized in the amount of \$10,000, and that the fund balance designation for Conservation Easement purchases be decreased by \$17,938, all for the purpose of purchasing Conservation Easements on the land of the Opequon Cattle Company. "*

2018-12-17 Action: Tom Judge summarized. Chairman Weiss provided additional information regarding existing easements on this property.

**Supervisor Byrd moved to adopt the resolution. The motion carried by the following vote:**

|                  |       |
|------------------|-------|
| Barbara J. Byrd  | - Aye |
| Terri T. Catlett | - Aye |
| Mary L.C. Daniel | - Aye |
| Beverly B. McKay | - Aye |
| David S. Weiss   | - Aye |

E. Fiscal Analytics 2020 Budget Forecast

2018-12-10 Summary: The Finance Committee reviewed the Fiscal Analytics 2020 Budget Forecast, which was presented at the Virginia Association of Counties annual conference.

2018-12-18 Action: Tom Judge provided summary comments of the forecast.

F. Bills and Claims

2018-12-10 Summary: The Finance Committee recommends approval of the October 2018 Invoice History Report.

2018-12-18 Action: **Supervisor Catlett moved to accept the November invoice history report as presented. The motion carried by the following vote:**

|                  |       |
|------------------|-------|
| Barbara J. Byrd  | - Aye |
| Terri T. Catlett | - Aye |
| Mary L.C. Daniel | - Aye |
| Beverly B. McKay | - Aye |
| David S. Weiss   | - Aye |

G. Standing Reports

FYI: Reconciliation of Appropriation, Capital Projects

12) Joint Administrative Services Board

Highlights of the update by Tom Judge include:

- Met December 17.
- Discussed 457 plan options.
- Discussed actuarial study for the audit.
- Discussed ways to reduce liability
- Board updated on ERP system implementation.
- Board updated on bank reconciliation for FY2018 audit
- Health Insurance Plan – Retiree Participation:
  - o Currently allow retirees in a specific class to remain in health insurance plan.
  - o Retirees pay the full premium.
  - o Sixteen [16] retirees in the plan.
  - o Statistics from claims experience indicate that aging employees use at a higher rate implying a subsidy; therefore, localities are required to compute and declare on financial statements.

### 13) Government Projects Update

David Ash provided the monthly project update.

- Park Pavilion:
  - o Contract work complete.
  - o Access pathway still required and will be done in the spring.
  - o Water and electric still required and will be done in the spring.
- Former School Administrative Office Roof:
  - o Continue to get promises.
  - o Company is behind due to rain and giving priority to occupied homes.
- Sheriff: Repointing work complete. Project complete.
- 102 North Church Circuit: Railing work repaired. Project complete.
- 104 North Church Street:
  - o Benches have been ordered.
  - o Proofs back for bench plaques. Upon confirmation of correctness, Mike Legge will release the order.
- 311 East Main:

- Additional cubicles needed and work outsourced to Lance Construction.
- Work is underway and will be coordinated with Brittany Heine, Director Clarke County Department of Social Services.
- Millwood Property – 1862 Millwood Road:
  - Demolition permit is completed.
  - Little of any debris left on site and what remains appears to be biodegradable.
  - No report on removal of the shed on the property.
- Kohn Property:
  - Cabin has been remodeled to a degree; and while not finished; it is useable.
  - If the Board decides to rent, the resident would have to be someone with equipment and tools to plough themselves out in the event of snow.
  - Will decide use over the next 60 days.
- Convenience Center:
  - Steel plating used to protect pavement under compactor bins is not yet installed.
  - County crew on site today.
  - Contractor announced that he was pulled off the County's project for a larger project in Baltimore. Uncertain when he will return.
  - Main gates miss ordered and expected between the month's end and beginning of January.
  - Three applicants for the part-time position of Convenience Center Attendant.
  - Board agreed to open the facility on Saturday, January 12.
  - Grand opening tentatively scheduled for Saturday, January 12, at 10 am.
    - Chairman Weiss requested invitation to the opening event be sent to former members of the now-defunct Litter Committee Wingate Mackay-Smith, Bill Johnston, and Nick Smart.
  - Other issues:
    - Initial hours operation: Saturday 8 am to 6 pm; Sunday 10 am to 3 pm.
    - Will meet with VDOT regarding sign installation.
    - Met with Southern Scrap regarding pulls of compactors and recycling bins.
    - Law enforcement will have key access to the site.
    - Will consider rush hour traffic when determining hours of operation. Will seek citizen input.
- Luncheon at the Senior Center, Wednesday, December 19, at 11:30

14) Miscellaneous Items

Topics for Consideration by Supervisor Byrd

- Tourism Alliance
  - o Supervisor Byrd would like to resurrect the now defunct Tourism Alliance, a non-governmental entity.
  - o Town is interested in participating.
  - o The County provided funds to the Tourism Alliance.
  - o Virginia Tourism Cooperative could be source of funding.
  - o Vice Chair McKay suggested appointing tourism-oriented persons to the Economic Development Advisory Committee.
  
- Livestock Study
  - o Weldon Cooper could conduct a study.
  - o Grant funding could be sought to cover the cost.
  - o Vice Chair McKay stated that the Farm Bureau has livestock information that could be made available without conducting a survey.

Town of Berryville and Clarke County Memorandum of Understanding Transportation Study – Southeast Collector

David Ash presented a draft from Robert Mitchell, County Attorney. He advised that the Berryville Town Council had yet reviewed the document and asked the Board if it wanted to approve in its current form prior to review and approval by Berryville Town Council. He advised Keith Dalton, Berryville Town Manager, agreed to change the fiscal agent for the study to the Board of Supervisors since the County was the only one providing funding at the beginning of the project.

Following brief discussion, **Supervisor Daniel moved to authorize the Board of Supervisors Chair to sign the memorandum of understanding in substantially the same form in which it is presented today. The motion carried by the following vote:**

|                  |       |
|------------------|-------|
| Barbara J. Byrd  | - Aye |
| Terri T. Catlett | - Aye |
| Mary L.C. Daniel | - Aye |
| Beverly B. McKay | - Aye |
| David S. Weiss   | - Aye |

**TOWN OF BERRYVILLE AND CLARKE COUNTY**

---

Board of Supervisors Meeting Minutes For December 18, 2018 – Regular Meeting

**MEMORANDUM OF UNDERSTANDING  
TRANSPORTATION STUDY-SOUTHEAST COLLECTOR**

This Memorandum of Understanding ("MOU") is by and between the Town Council for the Town of Berryville, Virginia ("Council") and the Board of Supervisors of Clarke County, Virginia ("Board").

The Council and the Board agree that it is in the best interests of the Town of Berryville ("Town") and Clarke County ("County") to obtain a transportation study regarding a collector road, referenced in the 2015 Berryville Area Plan as the "Southeast Collector." The Southeast Collector is proposed to connect East Main Street (Business Rt. 7) with Buckmarsh Street (U.S. Route 340), a substantial portion of the Southwest Collector having been constructed with the extension of Jack Enders Boulevard into the County Business Park

In furtherance thereof, the Council and Board agree as follows:

1. FUNDING

- A. The cost of the study shall not exceed Fifty Thousand Dollars (\$50,000.00).
- B. The cost of the study shall be shared equally by the Town and the County, subject to the following:
  - (1) The County will pay One Hundred Percent (100%) of the costs payable in fiscal year 2019.
  - (2) The Town will pay One Hundred Percent (100%) of the costs payable in fiscal year 2020, until the Town has paid an amount equal to the amount paid by the County in fiscal year 2019; thereafter the Town and the County will share equally in the payment of costs.
  - (3) If upon completion of the study the payments made by the Town and County are not equal, a payment shall be made by the party whose payments have been less to the party whose payments have been more in an amount to equalize the payments made by each.
  - (4) Should the study be terminated prior to its completion by the unilateral action of either party, the party unilaterally terminating the study shall reimburse the other party for costs paid by the other party.
  - (5) In the event that the Town Council does not budget funds for the 2020 fiscal year for the Town's share of the cost of the study, the Town shall reimburse the County for costs paid by the County in fiscal year 2019, and the study shall be terminated.



## 2. SCOPE

- A. The Town and the County will engage a consultant to perform the transportation study, the scope of which is set forth in the Transportation Study Scope of Services, attached hereto as Attachment A.
- B. The management team shall have the authority to make minor revisions and/or additions in the scope of services.

## 3. SELECTION OF CONSULTING FIRM

- A. The Town and County agree that the Town Manager, Town Planner, County Administrator, and the County Planning Director ("Management Team") will be responsible for selecting a qualified transportation consulting firm for this project. In order to save on time and cost of procurement, the Management Team will solicit proposals from the Northern Shenandoah Valley Regional Commission's (NSVRC) pool of pre-selected, on-call consulting firms. If qualified proposals are received, the Management Team will select one or more firms to be interviewed. Upon selection of a qualified firm, the Management Team will negotiate a contract within the funding parameters and time frame set forth in the MOU.
- B. If the Management Team is unable to select a qualified consulting firm through the NSVRC's program, the Town and County will issue a joint procurement in the form of a Request for Proposals (RFP). The County's Purchasing Manager will be responsible for issuing the RFP and overseeing the procurement process. The Management Team will be responsible for reviewing the proposals, interviewing qualified firms, and negotiating a contract in accordance with State procurement regulations.
- C. In the event that the Management Team identifies a qualified firm but is unable to negotiate a contract within the funding parameters set forth in this MOU, the Management Team will consult the Town and County governing bodies for further direction. No contract will be approved with a consulting firm until both governing bodies agree to provide supplemental funding for this scenario.

## 4. MANAGEMENT AND ADMINISTRATION

- A. The County shall act as fiscal agent.
- B. The Town Planner shall serve as Project Manager. The Project Manager shall provide progress reports to the Management Team and consult the Management Team with respect to any issues or questions that arise during the project.

C. The Town staff and the County staff shall equally provide support to the Consultant and a commitment to the study, in addition to the provisions in the Transportation Study Scope of Services.

D. If any disputes arise during the study, such disputes shall be addressed jointly with the Town Manager and County Administrator for resolution. If not resolved by the Town Manager and County Administrator, the dispute shall be forwarded to the governing bodies.

## 5. PROJECT REPORT

The scope of the work shall include a final presentation by the consulting firm to the Town and County governing bodies in a joint session, and the report, in hard copy and electronic format, will be jointly owned by the County and the Town.

## 6. CANCELLATION

Either party may cancel this Memorandum of Agreement by providing written notice to the other party prior to final approval of the contract with the selected consulting firm.

TOWN COUNCIL OF THE TOWN OF BERRYVILLE

Date Approved: By: Mayor

BOARD OF SUPERVISORS OF CLARKE COUNTY

Date Approved: By: Chairman

ATTACHMENT A  
Berryville/Clarke County  
Background  
Transportation Study  
Scope of Services

### Background

The Town of Berryville and Clarke County have long planned the development of a collector road on the southeastern quadrant of the Berryville Area to connect US 340 with East Main Street / VA Route 7. The Clarke County Business Park, which was developed by the County and its IDA in the 1990s and 2000s, was originally designed with plans to establish this connectivity as properties in the quadrant developed. One of the biggest impediments (aside from funding) has been determining how to get Norfolk Southern to authorize a new at-grade rail crossing to complete the connectivity. Over the years, Norfolk Southern has required one or more existing crossings to be closed in order to authorize the creation of a new crossover to serve the southeastern collector road. It is critical to determine Norfolk Southern's requirements for approval of a new or improved at-grade crossover including required closures of or improvements to other existing crossovers.

The Town and County recently began looking at an alternative approach that would involve the creation of a new annexation area in this vicinity that could potentially allow an existing crossover to be used (likely with upgrades) in conjunction with new development. While it may provide a more feasible approach, there are concerns with how a true southeastern collector would function if constructed including potential capacity and safety issues with existing intersections and roads if traffic patterns result in the new collector road acting as a true bypass of downtown Berryville.

The Town and County's joint comprehensive plan for development of designated annexation areas - the Berryville Area Plan - provides guidance for the form and scale of future development in the Study Area. Land use and build-out assumptions for this project will be applied from the Berryville Area Plan.

#### Summary of Key Issues to Be Evaluated

1. Determine Norfolk Southern's requirements to authorize a new or improved at-grade rail crossing for this project including required closures of existing public or private road crossings along with the scope and cost of building or improving the rail crossing for this project. The consultant should have demonstrated experience working with Norfolk Southern and be capable of providing strategies and recommendations to the governing bodies.
2. Determine the traffic impacts of the proposed project concepts on the existing road network as described below.
3. Determine the traffic impacts of the proposed project concepts on traffic patterns in Downtown Berryville.

#### Study Area

The following is a list of concepts for connecting Jack Enders Boulevard to US 340 that will need to be evaluated in this study. The proposed road design of Jack Enders Boulevard including profile, right-of-way widths, and bike/pedestrian features will be provided by the Town.

- Concept A - Extend Jack Enders Boulevard from current terminus west across Norfolk Southern Railroad with new at-grade crossing to connection point near the intersection of South Church Street and US 340.
- Concept B - Extend Jack Enders Boulevard at a point approximately 800 feet northeast of End State Maintenance line south/southeast to a general intersecting point with Smallwood Lane then west to US 340 - through the area identified in the Berryville Area Plan as the "Southern Potential Future Growth Area." This concept would require significant improvements to Smallwood Lane (public road, gravel surface) and to its existing at-grade crossing of the Norfolk Southern Railroad. Under

this Concept B, development of the Southern Potential Future Growth Area should be presumed as described in the Berryville Area Plan.

- Concept C -- Extend Jack Enders Boulevard to US 340 as described in Concept A and extend a new road into the Southern Potential Future Growth Area with no new connection to Smallwood Lane or to US 340. Under this Concept C, development of the Southern Potential Future Growth Area should be presumed as described in the Berryville Area Plan.
- Concept D - Extend a new road into the Southern Potential Future Growth Area with no extension of this new road or Jack Enders Boulevard to US 340. Under this Concept D, development of the Southern Potential Future Growth Area should be presumed as described in the Berryville Area Plan.

The corridors to be examined are the same for both conceptual connections to US 340:

- US 340 from Smallwood Lane north to its intersection with Harry Byrd Hwy (VA Route 7). Key public road intersections to study include at a minimum:
  - o Smallwood Lane
  - o Senseny Road (Rt. 657)
  - o South Church Street
  - o Hermitage Boulevard
  - o Main Street (VA Route 7)
- Intersection of East Main Street and Harry Byrd Hwy to terminus of Jack Enders Boulevard. Key public road intersections to study include at a minimum:
  - o East Main Street and Jack Enders Boulevard, including need for signalization
  - o East Main Street and Norfolk Southern Railroad Crossing
  - o East Main Street and First Street (Rt. 615)
  - o Jack Enders Boulevard and Springs bury Road (Rt. 613)
- South Church Street from its intersection with US 340 to its intersection with East Main Street.

## Goals

The goals of the transportation study are as follows:

- Identify the feasibility and cost of each Concept including total costs of developing a new at-grade rail crossing (Concepts A and C) or improving an existing at-grade rail crossing (Concept B).
- Determine any required improvements along the corridor to maintain acceptable levels of service including but not limited to the need for new signalized intersections, turn lanes, crosswalks, and drainage improvements.
- Project how implementation of each Concept will impact traffic patterns along all corridors to be examined. This would help to determine the amount and nature of

current traffic that would use Jack Enders Boulevard as a bypass to avoid downtown Berryville.

Scope of Work

The selected consultant shall be responsible for the following items:

- Model potential traffic patterns and impacts of a new southeastern collector with projected future land use information (including the Berryville Area Plan) and potential routes provided by the Town and County.
- Identify current and future levels of service along affected road segments with and without the presence of a southeastern collector. This analysis should also model and provide recommendations on required improvements, potential phasing of the project and development, and how to avoid interim functionality problems.
- Provide planning level cost estimates for multiple development scenarios and analyze the feasibility of obtaining funding for some or all of the project costs (Smart Scale, industrial access grants, etc.).
- Provide expertise in dealing with Norfolk Southern to gain approval of a rail crossing and negotiate improvements. This includes identifying potential closures of existing crossovers and evaluating traffic impacts of such closures.

Town to Provide:

- 50% of the study cost
- Staffing for joint project oversight with County
- Mapping and information on Town infrastructure along the study corridors

County to Provide:

- 50% of the study cost
- Staffing for joint project oversight with the Town
- Mapping data from the County GIS
- Project map to show the study corridors, key intersections, and development Concepts

15) Summary of Required Action

| <u>Item</u> | <u>Description</u>  | <u>Responsibility</u> |
|-------------|---|-----------------------|
| 1.          | Update calendar to reflect 2019 Organizational meeting January 7. | Lora B. Walburn       |
| 2.          | Prepare public hearing notice for Pasture Palooza, post on        | Lora B. Walburn       |

| <u>Item</u> | <u>Description</u>   | <u>Responsibility</u> |
|-------------|--|-----------------------|
|             | website, and coordinate advertising with Winchester Star.  |                       |
| 3.          | Process and post approved minutes.   | Lora B. Walburn       |
| 4.          | Process Town of Berryville and Clarke County Memorandum of Understanding Transportation Study – Southeast Collector following review and approval. | David Ash             |
| 5.          | Sign Town of Berryville and Clarke County Memorandum of Understanding Transportation Study – Southeast Collector                                   | David Weiss           |

## 16) Board Member Committee Status Reports

Supervisor Barbara J. Byrd

- Clarke County Humane Foundation: Have had tremendous response to the donation letter mailed last month. Another locality assisted with the overabundance of cats at the shelter.
- Committee Policy Management Team: Performance audit in progress.
- Conservation Easement Authority: Meeting cancelled.
- Northwest Regional Adult Drug Treatment Court Advisory Committee: Meeting went well.
- Northwestern Regional Jail Authority: No update given.
- Northwestern Regional Juvenile Detention Center Commission: Two Clarke clients in residence. It is preparing its FY2020 budget that will be forwarded to Tom Judge.
- Town of Berryville:
  - o WWI plaque. Mayor wants to install in the Main Meeting Room. Town and County will discuss. By consensus, the Board of Supervisors agreed that the plaque should be kept in the area close to the Veteran's Memorial outside the Park Entrance. Supervisor McKay will convey the Board's position to the Joint Building Committee.
  - o While the Mayor has a list of things to do, other members of Council would prefer to consolidate and focus on two or three things.
  - o Town Council is discussing economic development and would like to meet with the County's Economic Development Director.
- Board of Social Services:
  - o Bonnie Peery, Office Manager, is retiring.
  - o Seeking staff supervisor.
  - o In the new year, Brittany Heine and Gerald Dodson will bring a staff funding request to the Supervisors.

Supervisor Terri T. Catlett

- School Board:
  - At its November meeting, Ann Thompson talked about funding for tests.
  - Dr. Seal awarded educator of the year by the Mosby Heritage Association.
  - High School attended meeting with presented a musical program followed by refreshments.
  - Awards were distributed.
  - Exploring with Shenandoah University a teachers-for-tomorrow, dual-enrollment program.
  - Reviewing calendar and fund balance
- Career and Technical:
  - Met December 6.
  - Plasma Cutter:
    - Presented a sample from the plasma cutter.
    - Group is not certain if this equipment is being used to its full potential but students and staff are enjoying it.
    - Planning fundraising projects using the plasma cutter.
  - Adding agriculture classes at the middle school. Partial year grades 6 and 7; year-long classes for grade 8.
  - Would like to install a greenhouse at the middle school.
- Historic Preservation Commission:
  - Did survey of historical markers.
  - Nathan Stalvey working on oral histories.
  - Have focused on demolition by neglect of properties.
  - Chairman Weiss reminded that funding requests to the Board of Supervisors must be received no later than February.
  - Whether to support or not is a policy decision by the Board.
- Village of Millwood: Continue to have discussion on traffic concerns.

Supervisor Mary L.C. Daniel

- Josephine Community School Museum: Roof work finished; missed last month's meeting.
- Planning Commission:
  - Zoning report update included in packet.

- Site plan for Locke's Store got conditional approval. Supervisor Daniel answered questions put forth by members of the Board.
- Text amendment will be forwarded to Board of Supervisors.
- Winchester Wireless attended meeting and was supportive, complimentary of the proposed ordinance.
- Broadband Implementation Committee
  - Improved informational messages for social media.
- Sheriff's Department:
  - Thanks to all who attended the annual luncheon.
  - Currently, speeding is a top issue.
- Clarke County Library: No major events at meeting this month.
- Coalition for High Growth:
  - Conducting conference calls.
  - Supporting responsible development.
  - She is now receiving regular email communication.

Vice Chair Bev B. McKay

- Sanitary Authority:
  - Continued discussion of secondary well location.
  - System error resulted in condition where there is a potential fine from DEQ.
  - Must replace turbidity meters. Equipment is obsolete but have enough spare parts to keep running for some time.
- Northern Shenandoah Valley Regional Commission: Attended Christmas event held jointly with the Inland Port.

Chairman David S. Weiss

- Fire & EMS Commission:
  - Jay Arnold attended and there was further conversation on the importance of the Clarke County Fire and Rescue Association.
  - Seek to codify between county, companies, and association to determine the agency's place in the hierarchy.
  - The Board of Supervisors supports the Association but doesn't know how the Board could codify an agency that does not include all the volunteer companies in the locality.



- Vice Chair McKay stated that he did not support codification when the Association does not include all companies.
- Supervisor Catlett asked to explore ways to improve communication.
- Chairman Weiss added that Jay Arnold, Clarke County Fire and Rescue Association member, opines that volunteer members feel more comfortable talking to the Association members than the Fire and Emergency Medical Service Commission members. Chairman Weiss asserted that the individual company members should be talking with its member representative on the Commission so they can bring these items back to the Commission on behalf of their company.
- Board agreed to convey to the Commission that it does not support codification of the Association on the basis that it represents only two of the three companies. Further, the Board encourages all parties to continue to work together. The matter can be revisited.
- Budget:
  - Chose budget recommendation to be presented to the BoS Finance Committee.
  - Includes funding three full-time positions.
  - No increase to stipends.
  - Continuation of incentive programs.
  - Physicals for all employees.
  - Purchase of 3 radios at \$20,000 - \$40,000 per year.
  - All companies had input in the budget process through the Commission.
- Industrial Development Authority: Organizational and quarterly meeting in January.

#### 17) Closed Session Pursuant to §2.2-3711-A3 Acquisition / Disposal of Property

**At 4:02 pm, Supervisor Byrd moved that the Clarke County Board of Supervisors enter Closed Session pursuant to §2.2-3711-A3, Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. The motion carried by the following vote:**

|                  |   |     |
|------------------|---|-----|
| Barbara J. Byrd  | - | Aye |
| Terri T. Catlett | - | Aye |
| Mary L.C. Daniel | - | Aye |
| Beverly B. McKay | - | Aye |
| David S. Weiss   | - | Aye |

At 4:26 pm, the members of the Board of Supervisors, being assembled within the designated meeting place, with open doors, and in the presence of members of the public and/or the media desiring to attend, Vice Chair McKay moved to reconvene in open session. The motion carried as follows:

|                  |   |     |
|------------------|---|-----|
| Barbara J. Byrd  | - | Aye |
| Terri T. Catlett | - | Aye |
| Mary L.C. Daniel | - | Aye |
| Beverly B. McKay | - | Aye |
| David S. Weiss   | - | Aye |

Vice Chair McKay further moved to execute the following Certification of Closed Session:

**CERTIFICATION OF CLOSED SESSION**

WHEREAS, the Board of Supervisors of the County of Clarke, Virginia, has convened a closed meeting on the date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3700 of the Code of Virginia requires a certification by the Board of Supervisors of the County of Clarke, Virginia that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Clarke, Virginia, hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which the certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors of the County of Clarke, Virginia. The motion was approved by the following roll-call vote:

|                  |   |     |
|------------------|---|-----|
| Barbara J. Byrd  | - | Aye |
| Terri T. Catlett | - | Aye |
| Mary L.C. Daniel | - | Aye |
| Beverly B. McKay | - | Aye |
| David S. Weiss   | - | Aye |

No action was taken on items discussed in closed session.

18) Adjournment

Chairman Weiss adjourned the meeting at 4:26 pm.

Next Regular Meeting Date

The next regular meeting of the Board of Supervisors is set for Tuesday, January 15, 2019, at 1:00 p.m. in the Berryville Clarke County Government Center, Main Meeting Room, 101 Chalmers Court, Berryville, Virginia.

ATTEST: December 18, 2018

\_\_\_\_\_  
David S. Weiss, Chair

\_\_\_\_\_  
David L. Ash, County Administrator

\_\_\_\_\_  
Recorded and transcribed by Lora B. Walburn, Deputy Clerk to the Board of Supervisors

# Clarke County Board of Supervisors

---

## Consent Agenda

A. FY2020 Budget Calendar

FY 20 BUDGET CALENDAR

Draft

| <i>Date</i>                  | <i>Time</i> | <i>Location</i> | <i>Event</i>   |
|------------------------------|-------------|-----------------|--|
| Wednesday, January 09, 2019  | 08:30 AM    | 317 West Main   | Finance Committee: School Finance Invitation   |
| Tuesday, January 22, 2019    | 09:30 AM    | JGC             | Staff Revenue Review   |
| Thursday, January 24, 2019   | 05:30 PM    | JGC             | Finance Committee: Revenue Review  |
| Monday, February 11, 2019    | 10:00 AM    | JGC             | Budget Worksession: presentation by County Administrator                                       |
| Monday, February 11, 2019    | 05:30 PM    | JGC             | Finance Committee: Agency presentations  |
| Wednesday, February 13, 2019 | 08:30 AM    | 317 West Main   | Finance Committee: School Finance Invitation   |
| Thursday, February 14, 2019  | 05:00 PM    | JGC             | Finance Committee: Agency presentations  |
| Tuesday, February 19, 2019   | 06:30 PM    | JGC             | BOS Regular: Direction to County Administrator   |
| Thursday, February 21, 2019  | 05:30 PM    | JGC             | Finance Committee  |
| Thursday, February 28, 2019  | 05:30 PM    | JGC             | Finance Committee  |
| Monday, March 04, 2019       | 07:00 PM    | JGC             | BOS Worksession: SB presentation (Special)   |
| Thursday, March 07, 2019     | 05:30 PM    | JGC             | Finance Committee  |
| Monday, March 11, 2019       | 10:00 AM    | JGC             | BOS Worksession until Final Number   |
| Thursday, March 14, 2019     | 05:30 PM    | JGC             | Finance Committee  |
| Tuesday, March 19, 2019      | NA          | Winchester Star | Advertise in newspaper (if needed)   |
| Tuesday, March 26, 2019      | NA          | Winchester Star | Advertise in newspaper.  |
| Tuesday, April 02, 2019      | 07:30 PM    | TBD             | Public Hearing (Jointly with School Board)   |
| Tuesday, April 16, 2019      | 06:30 PM    | JGC             | BOS Worksession until final numbers; recess, then adopt budget and Appropriations Resolutions. |



## Personnel Committee Items

Berryville/Clarke County Government Center, 2<sup>nd</sup> Floor  
101 Chalmers Court, Berryville, Virginia 22611

Monday, January 7, 2019 9:30 am

*Item  
No.*

*Description*

---

A. Expiration of Term for appointments expiring through March 2019.

2019-01-07 Summary: The Personnel Committee recommended appointment:

- John Milleson, Economic Development Advisory Committee, to a four-year term expiring December 31, 2022.
- Brandon Stidham, Northern Shenandoah Valley Regional Commission, to a three-year term expiring January 31, 2022.

# Appointments by Expiration Through March 2019

|  |          |                                 | <i>Appt Date</i> | <i>Exp Date</i> | <i>Orig Appt Date:</i> |
|--|----------|---------------------------------|------------------|-----------------|------------------------|
| <i>November 2017</i>   |          |                                 |                  |                 |                        |
| Shenandoah Valley Workforce Development Board  |          |                                 | 4 Yr             |                 |                        |
| James  | Patricia | Buckmarsh District              | 5/16/2017        | 11/9/2017       | 9/17/2013              |
| Left area 11-09-2017 expires 6-30-2021   |          |                                 |                  |                 |                        |
| 3.01: MEMBERSHIP The voting members of the Consortium shall be the Chief Local Elected Official of each jurisdiction that is a party to this agreement, or that official's duly appointed designee. The Chair of the Shenandoah Valley Workforce Investment Board (SVWIB), or the Chair's duly appointed designee, shall serve as a voting member of the Consortium.   |          |                                 |                  |                 |                        |
| 3.02: TERMS OF OFFICE The term of office for a Consortium member or designee shall coincide with the member's term as chief elected official for the member jurisdiction.  |          |                                 |                  |                 |                        |
| <i>December 2018</i>   |          |                                 |                  |                 |                        |
| Clarke County Historic Preservation Commission   |          |                                 | 4 Yr             |                 |                        |
| Caldwell   | Anne     | Millwood District               | 4/18/2017        | 12/6/2018       | 4/16/2014              |
| Resigned 12/06/2018, term expires 5/31/2021  |          |                                 |                  |                 |                        |
| Section 3-E-3-d Zoning Ord "shall consist of at least 5 members not to exceed 7 members; Members shall be residents of Clarke County with a demonstrated interest in and knowledge of the historic character of Clarke County. Reasonable effort to appoint at least 2 members with professional training or equivalent experience in 1 or more of the following: architecture, architectural history, historic preservation, archeology, land use planning, or related fields. Reasonable effort to appoint at least 1 member that is a professional architect or architectural historian. At least 1 member shall be appointed from the Planning Commission upon recommendation to the Board by the Planning Commission. After the establishment of an Historic District, at least 1 member shall be a resident of a local Historic District." |          |                                 |                  |                 |                        |
| Economic Development Advisory Committee  |          |                                 |                  |                 |                        |
| Milleson   | John R.  | 2018 Chair, Banking, Finance    | 12/16/2014       | 12/31/2018      | 8/16/2011              |
| Members of the committee should include one or more people from all key government and business groups such as planning commission, board of supervisors, school board, industrial development authority, town of Berryville, chamber of commerce, and key business sectors such as agriculture, banking, realty, light industry, retail and tourism. Membership not limited.  |          |                                 |                  |                 |                        |
| Myer   | Dr. Eric | Agriculture Rep, Business Owner | 12/16/2014       | 12/31/2018      | 1/21/2003              |
| Members of the committee should include one or more people from all key government and business groups such as planning commission, board of supervisors, school board, industrial development authority, town of Berryville, chamber of commerce, and key business sectors such as agriculture, banking, realty, light industry, retail and tourism. Membership not limited.  |          |                                 |                  |                 |                        |
| Conrad   | Bryan H. | Agriculture, Fire & Rescue      | 12/16/2014       | 12/31/2018      | 12/19/2000             |
| Members of the committee should include one or more people from all key government and business groups such as planning commission, board of supervisors, school board, industrial development authority, town of Berryville, chamber of commerce, and key business sectors such as agriculture, banking, realty, light industry, retail and tourism. Membership not limited.  |          |                                 |                  |                 |                        |
| Northwestern Community Services Board  |          |                                 | 3 Yr             |                 |                        |
| Harris   | Celie    | Millwood District               | 11/17/2015       | 12/31/2018      | 12/21/2010             |
| Fills unexpired term of Kathleen Ruffo   |          |                                 |                  |                 |                        |
| 2 Clarke County Members; 3 Term Limit [AKA Chapter 10 Board; 37.2-501(A)]  |          |                                 |                  |                 |                        |

---

|  |      |                            | <i>Appt Date</i> | <i>Exp Date</i> | <i>Orig Appt Date:</i> |
|--|------|----------------------------|------------------|-----------------|------------------------|
| <b>Parks &amp; Recreation Advisory Board</b>   |      |                            | 4 Yr             |                 |                        |
| Jones  | Paul | Russell District; At Large | 12/16/2014       | 12/31/2018      |                        |
| <p>There shall be nine (9) voting members on the Advisory Board. Six (6) members shall be appointed by the Board of Supervisors to represent the five (5) voting districts and one (1) at large. The Superintendent of Schools or the Superintendent's designee shall serve on the Advisory Board. The Town Councils for Berryville and Boyce shall each appoint a representative to serve on the Advisory Board. The Board of Supervisors shall also designate one (1) member of the Board of Supervisors to serve as a non-voting liaison to the Advisory Board. All terms, except the student representatives, shall be staggered and the initial terms shall be established by random lot. All terms subsequent to the initial terms shall be (4) years.</p> |      |                            |                  |                 |                        |

---

*January 2019*

|   |         |  |           |           |           |
|---|---------|--|-----------|-----------|-----------|
| <b>Northern Shenandoah Valley Regional Commission</b>   |         |  |           |           |           |
| Stidham   | Brandon | Citizen Representative [Planning Director] | 4/19/2016 | 1/31/2019 | 6/19/2012 |
| <p>The Charter of the Regional Commission states Clarke County shall have 2 members, 1 elected official; 1 citizen.</p> |         |  |           |           |           |

---

*February 2019*

|   |          |                     |            |           |            |
|---|----------|---------------------|------------|-----------|------------|
| <b>Board of Zoning Appeals</b>  |          |                     | 5 Yr       |           |            |
| Brumback  | Clay     | White Post District | 12/20/2017 | 2/15/2019 | 12/20/2017 |
| <p>BoS Recommendation</p> <p>Appointed by Circuit Court; BOS letter of recommendation to Clerk. Oath of Office Required - Clerk of Circuit Court; 5 total members: 1 member may be on the Planning Commission Pg 1114 Supv Manual; other 4 have been generally 1 from each magisterial district, although not required.; Section 7-A-1 of the Zoning Ord states: "The Board shall consist of 5 residents of Clarke Co. Members of the Board shall hold no other public office in the locality except that 1 may be a member of the Clarke Co Planning Commission."</p>                  |          |                     |            |           |            |
| Volk  | Laurie   | White Post District | 2/18/2014  | 2/15/2019 | 2/17/2004  |
| <p>Appointed by Circuit Court; BOS letter of recommendation to Clerk. Oath of Office Required - Clerk of Circuit Court; 5 total members: 1 member may be on the Planning Commission Pg 1114 Supv Manual; other 4 have been generally 1 from each magisterial district, although not required.; Section 7-A-1 of the Zoning Ord states: "The Board shall consist of 5 residents of Clarke Co. Members of the Board shall hold no other public office in the locality except that 1 may be a member of the Clarke Co Planning Commission."</p>  |          |                     |            |           |            |
| Borel   | Alain F. | White Post District | 1/23/2014  | 2/15/2019 | 3/21/2000  |
| <p>Reappointed 1st 4/6/00 thru 2/15/04</p> <p>Appointed by Circuit Court; BOS letter of recommendation to Clerk. Oath of Office Required - Clerk of Circuit Court; 5 total members: 1 member may be on the Planning Commission Pg 1114 Supv Manual; other 4 have been generally 1 from each magisterial district, although not required.; Section 7-A-1 of the Zoning Ord states: "The Board shall consist of 5 residents of Clarke Co. Members of the Board shall hold no other public office in the locality except that 1 may be a member of the Clarke Co Planning Commission."</p> |          |                     |            |           |            |

---

*March 2019*

|  |        |                  |           |           |           |
|--|--------|------------------|-----------|-----------|-----------|
| <b>Berryville Area Development Authority</b>   |        |                  | 3 Yr      |           |           |
| Ohrstrom, II   | George | Russell District | 3/15/2016 | 3/31/2019 | 3/20/2007 |
| <p>Membership set by the County/Town Annexation Agreement of 1988 2.1 The Authority shall consist of six (6) members, shall be qualified voters of Clarke County; three (3) of the members shall be appointed by the BoS, three ( 3) of the members shall be appointed by the Town Council.</p> <p>2.2. The appointed members shall serve a term of three (3) years; except, when appointed to fill a vacancy occurring during a term, the appointment shall be for the remainder of the unexpired term.</p> |        |                  |           |           |           |



---

|            |       |                    | <i>Appt Date</i> | <i>Exp Date</i> | <i>Orig Appt Date:</i> |
|------------|-------|--------------------|------------------|-----------------|------------------------|
| Our Health |       |                    | 3 Yr             |                 |                        |
| Shipe      | Diane | Buckmarsh District | 7/19/2016        | 3/15/2019       | 3/16/2010              |

1 Clarke County Member - "Group A Directors" shall serve at the discretion of the appointing Group A entity

# Clarke County Committee Listing

|  |            |   | <i>Appt Date</i> | <i>Exp Date</i> |
|--|------------|---|------------------|-----------------|
| <i>Agricultural &amp; Forestal District Advisory Committee</i>                       |            |   |                  | 6 Yr            |
| Buckley  | Samuel     | Landowner/Producer  | 8/18/2015        | 7/15/2021       |
| Childs   | Corey      | Landowner   | 8/18/2015        | 7/15/2021       |
| Day  | Emily      | Landowner/Producer  | 8/18/2015        | 7/15/2021       |
| Dorsey   | Tupper     | Landowner/Producer  | 8/18/2015        | 7/15/2021       |
| Gordon   | Carolyn    | Landowner   | 8/18/2015        | 7/15/2021       |
| Haynes   | Carole     | Landowner   | 9/15/2015        | 7/15/2021       |
| McKay  | Beverly B. | BoS - Appointed Member  | 8/18/2015        | 7/15/2021       |
| Peake  | Donna      | Commissioner of the Revenue                                     | 8/18/2015        | 7/15/2021       |
| <i>Barns of Rose Hill Board of Directors</i>   |            |   |                  | 3 Yr            |
| Cammack  | Thomas     |   | 12/18/2018       | 12/31/2021      |
| <i>BCCGC Joint Building Committee</i>  |            |   |                  | Open-End        |
| Arnold, Jr.  | Harry Lee  | Berryville Town Council Representative                          | 1/11/2018        |                 |
| Ash  | David L.   | County Administrator  |                  |                 |
| Dalton   | Keith      | Berryville Town Manager   |                  |                 |
| McKay  | Beverly B. | BoS - Appointed Member  | 1/16/2018        | 12/31/2018      |
| <i>Berryville Area Development Authority</i>   |            |   |                  | 4 Yr            |
| McFillen   | Thomas     | Berryville District   | 3/20/2018        | 3/31/2022       |
| Ohrstrom, II   | George     | Russell District  | 3/15/2016        | 3/31/2019       |
| Smart  | Kathy      | White Post District   | 2/21/2017        | 3/31/2020       |
| <i>Berryville/Clarke County Joint Committee for Economic Development and Tourism</i> |            |   |                  | Ongoing         |
| Arnold, Jr.  | Harry Lee  | BTC - Appointed Member  |                  |                 |
| Ash  | David L.   | County Administrator  | 1/16/2018        | 12/31/2018      |
| Capelli  | Len        | Director of Economic Development                                | 4/14/2015        |                 |
| Dunkle   | Christy    | Staff Representative - Town                                     |                  |                 |
| Weiss  | David S.   | BoS - Appointed Member  | 1/16/2018        | 12/31/2018      |
| <i>Board of Septic &amp; Well Appeals</i>  |            |   |                  | 4 Yr            |
| Blatz  | Joseph     | White Post District; Citizen Member                             | 1/19/2016        | 2/15/2020       |
| Buckley  | Randy      | White Post District; Planning Commission Vice Chair - Alternate | 1/3/2018         | 12/31/2018      |
| Daniel   | Mary L.C.  | BoS - Alternate   | 1/16/2018        | 12/31/2018      |
| Fincham  | Ryan       | Staff Representative  | 1/12/2015        |                 |
| McKay  | Beverly B. | BoS - Vice Chair Appointed Member                               | 1/16/2018        | 12/31/2018      |
| Ohrstrom, II   | George     | Russell District; Planning Commission Chair                     | 1/3/2018         | 12/31/2018      |

Wednesday, December 26, 2018

Page 1 of 8

|  |             |                                       | <i>Appt Date</i> | <i>Exp Date</i> |
|--|-------------|---------------------------------------|------------------|-----------------|
| <i>Board of Social Services</i>                          |             |                                       |                  | 1 Yr            |
| Byrd   | Barbara J.  | BoS - Appointed Member                | 1/16/2018        | 12/31/2018      |
| Dodson   | Gerald      | Berryville District                   | 10/18/2016       | 7/15/2020       |
| Gray   | Lynn        | Berryville District                   | 7/17/2018        | 7/15/2022       |
| Melusen  | Alan        | Russell District                      | 7/17/2018        | 7/15/2022       |
| Smith  | James       | Berryville District                   | 8/15/2017        | 7/15/2021       |
| <i>Board of Supervisors</i>                              |             |                                       |                  | 4 Yr            |
| Byrd   | Barbara J.  | Russell District                      | 1/9/2017         | 12/31/2019      |
| Catlett  | Terri T.    | Millwood/Pinegrove Districts          | 1/1/2016         | 12/31/2019      |
| Daniel   | Mary L.C.   | Berryville District                   | 1/1/2016         | 12/31/2019      |
| McKay  | Beverly B.  | White Post District, Vice Chair       | 1/1/2016         | 12/31/2019      |
| Weiss  | David S.    | Buckmarsh/Blue Ridge Districts; Chair | 1/1/2016         | 12/31/2019      |
| <i>Board of Supervisors Finance Committee</i>            |             |                                       |                  | 1 Yr            |
| Byrd   | Barbara J.  | BoS - Alternate                       | 1/16/2018        | 12/31/2018      |
| Catlett  | Terri T.    | BoS - Appointed Member                | 1/16/2018        | 12/31/2018      |
| McKay  | Beverly B.  | BoS - Alternate                       | 1/16/2018        | 12/31/2018      |
| Weiss  | David S.    | BoS - Appointed Member                | 1/16/2018        | 12/31/2018      |
| <i>Board of Supervisors Personnel Committee</i>          |             |                                       |                  | 1 Yr            |
| McKay  | Beverly B.  | BoS - Appointed Member                | 1/16/2018        | 12/31/2018      |
| Weiss  | David S.    | BoS - Appointed Member                | 1/16/2018        | 12/31/2018      |
| <i>Board of Zoning Appeals</i>                           |             |                                       |                  | 5 Yr            |
| Borel  | Alain F.    | White Post District                   | 1/23/2014        | 2/15/2019       |
| Brumback   | Clay        | White Post District                   | 12/20/2017       | 2/15/2019       |
| Caldwell   | Anne        | Millwood District                     | 2/25/2015        | 2/15/2020       |
| Fincham  | Ryan        | Staff Representative                  | 1/12/2015        |                 |
| Kackley  | Charles     | Russell District                      | 5/2/2018         | 2/12/2023       |
| Means  | Howard      | Millwood District                     | 2/15/2016        | 2/15/2021       |
| Volk   | Laurie      | White Post District                   | 2/18/2014        | 2/15/2019       |
| <i>Broadband Implementation Committee</i>                |             |                                       |                  |                 |
| Bouffault  | Robina Rich | White Post District                   | 2/21/2017        |                 |
| Daniel   | Mary L.C.   | Berryville District                   | 1/16/2018        | 12/31/2018      |
| Kruhm  | Doug        | Buckmarsh / Battletown District       | 9/18/2018        |                 |
| McKay  | Beverly B.  | White Post District                   | 1/16/2018        | 12/31/2018      |
| <i>Building and Grounds</i>                              |             |                                       |                  | 1 Yr            |
| McKay  | Beverly B.  | BoS - Appointed Member                | 1/16/2018        | 12/31/2018      |
| <i>Career and Technical Education Advisory Committee</i> |             |                                       |                  | 1 Yr            |

Wednesday, December 26, 2018

Page 2 of 8

|   |             |                                      | <i>Appt Date</i> | <i>Exp Date</i> |
|---|-------------|--------------------------------------|------------------|-----------------|
| Catlett   | Terri T.    | BoS - Appointed Member               | 1/16/2018        | 12/31/2018      |
| <i>Clarke County Historic Preservation Commission</i> |             |                                      |                  | <i>4 Yr</i>     |
| Arnett  | Betsy       | Berryville District                  | 4/19/2016        | 5/31/2020       |
| Berger  | Katherine   | Buckmarsh District                   | 11/21/2017       | 5/31/2019       |
| Caldwell  | Anne        | Millwood District                    | 4/18/2017        | 12/6/2018       |
| Carter  | Paige       | White Post District                  | 4/19/2016        | 5/31/2020       |
| Catlett   | Terri T.    | BoS - Liaison                        | 1/16/2018        | 12/31/2018      |
| Kruhm   | Doug        | Planning Commission Representative   | 1/3/2018         | 12/31/2018      |
| Stieg, Jr.  | Robert      | Millwood District                    | 6/17/2014        | 5/31/2022       |
| Teetor  | Alison      | Staff Representative                 |                  |                 |
| York  | Robert      | White Post District                  | 4/18/2017        | 5/31/2021       |
| <i>Clarke County Humane Foundation</i>                |             |                                      |                  | <i>1 Yr</i>     |
| Byrd  | Barbara J.  | BoS - Liaison                        | 1/16/2018        | 12/31/2018      |
| <i>Clarke County Library Advisory Council</i>         |             |                                      |                  | <i>4 Yr</i>     |
| Al-Khalili  | Adeela      | Buckmarsh District                   | 3/17/2015        | 4/15/2019       |
| Bogert  | Aubrey      | White Post District                  | 4/17/2018        | 4/15/2022       |
| Brondstater   | Bette       | Berryville District                  | 2/21/2017        | 4/15/2019       |
| Curran  | Christopher | Buckmarsh District                   | 2/21/2017        | 4/15/2021       |
| Daisley   | Shelley     | Russell District                     | 5/17/2016        | 4/15/2020       |
| Daniel  | Mary L.C.   | BoS - Liaison                        | 1/16/2018        | 12/31/2018      |
| Foster  | Nancy       | Russell District                     | 4/19/2016        | 4/15/2020       |
| Graves  | Suzette     | Berryville District                  | 11/21/2017       | 4/15/2021       |
| Kalbian   | Maral       | Millwood District                    | 2/17/2015        | 4/15/2019       |
| Payne   | Lisa        | Berryville District                  | 7/17/2018        | 4/15/2021       |
| <i>Clarke County Planning Commission</i>              |             |                                      |                  | <i>4 Yr</i>     |
| Bouffault   | Robina Rich | White Post / Greenway District       | 3/15/2016        | 4/30/2020       |
| Buckley   | Randy       | White Post District; 2018 Vice Chair | 4/17/2018        | 4/30/2022       |
| Byrd  | Barbara J.  | BoS - Alternate                      | 1/16/2018        | 12/31/2018      |
| Caldwell  | Anne        | Millwood / Chapel District           | 3/21/2017        | 4/30/2021       |
| Daniel  | Mary L.C.   | BoS - Appointed Member               | 1/16/2018        | 12/31/2018      |
| Glover  | Robert      | Millwood District                    | 1/16/2018        | 4/30/2019       |
| Kreider   | Scott       | Buckmarsh / Battletown District      | 3/15/2016        | 4/30/2020       |
| Kruhm   | Doug        | Buckmarsh / Battletown District      | 4/17/2018        | 4/30/2022       |
| Lee   | Francis     | Berryville District                  | 4/17/2018        | 4/30/2022       |
| Malone  | Gwendolyn   | Berryville District                  | 3/15/2016        | 4/30/2020       |
| Nelson  | Clifford    | Russell / Longmarsh District         | 3/21/2017        | 4/30/2021       |
| Ohrstrom, II  | George      | Russell District; Chair              | 3/17/2015        | 4/30/2019       |
| Stidham   | Brandon     | Staff Representative                 | 4/30/2012        |                 |

*Wednesday, December 26, 2018*

*Page 3 of 8*

|   |            |  | <i>Appt Date</i> | <i>Exp Date</i> |
|---|------------|--|------------------|-----------------|
| <i>Clarke County Sanitary Authority</i>     |            |  |                  | 4 Yr            |
| DeArment                                    | Roderick   | White Post District, Chair                           | 1/17/2017        | 1/5/2021        |
| Dunning, Jr.                                | A.R.       | White Post District, Treasurer/Secretary             | 1/16/2018        | 1/5/2022        |
| Mackay-Smith, Jr.                           | Alexander  | White Post District, Vice Chair                      | 1/17/2017        | 1/5/2021        |
| McKay                                       | Beverly B. | BoS - Liaison  | 1/16/2018        | 12/31/2018      |
| Meredith                                    | Mary       | Staff Representative                                 | 1/2/2018         |                 |
| Myer  | Joseph     | Town of Boyce  | 11/17/2015       | 1/5/2020        |
| Welliver                                    | Ralph      | Berryville District                                  | 7/19/2016        | 6/30/2020       |
| <i>Community Policy and Management Team</i> |            |  |                  | 3 Yr            |
| Acker                                       | Denise     | Northwestern Community Services                      | 12/18/2018       | 12/31/2021      |
| Bauserman                                   | Ellen      | CCPS Director Pupil Svcs                             | 7/18/2017        | 12/31/2019      |
| Byrd  | Barbara J. | BoS - Appointed Member                               | 1/16/2018        | 12/31/2018      |
| Goshen                                      | Lisa       | Parent Representative                                | 11/21/2017       | 12/31/2020      |
| Greene                                      | Colin      | VDH Representative                                   | 12/18/2018       | 12/31/2021      |
| Jones                                       | Angie      | Director Clarke County DSS                           | 7/18/2017        | 12/31/2019      |
| Legrys                                      | Mark       | Court Services Unit Supervisor                       | 7/18/2017        | 12/31/2019      |
| Obradovic                                   | Laura      | Private Provider - Grafton School                    | 7/18/2017        | 12/31/2020      |
| <i>Conservation Easement Authority</i>      |            |  |                  | 3 Yr            |
| Bacon                                       | Rives      | Berryville District                                  | 8/15/2017        | 12/31/2019      |
| Buckley                                     | Randy      | White Post District                                  | 12/20/2016       | 12/31/2019      |
| Byrd  | Barbara J. | BoS - Appointed Member                               | 1/16/2018        | 12/31/2018      |
| Engel                                       | Peter      | White Post District                                  | 12/18/2018       | 12/31/2021      |
| Jones                                       | Michelle   | Millwood / Pine Grove District                       | 12/20/2016       | 12/31/2019      |
| Ohrstrom, II                                | George     | Russell District; Planning Commission Representative | 3/15/2016        | 4/30/2019       |
| Teetor                                      | Alison     | Staff Representative                                 |                  |                 |
| Thomas                                      | Walker     | Buckmarsh District                                   | 12/18/2018       | 12/31/2021      |
| <i>Constitutional Officer</i>               |            |  |                  |                 |
| Butts                                       | Helen      | Clerk of the Circuit Court                           | 1/1/2016         | 12/31/2023      |
| Keeler                                      | Sharon     | Treasurer  | 1/1/2016         | 12/31/2019      |
| Peake                                       | Donna      | Commissioner of the Revenue                          | 1/1/2016         | 12/31/2019      |
| Roper                                       | Anthony    | Sheriff  | 1/1/2016         | 12/31/2019      |
| Williams                                    | Anne       | Commonwealth Attorney                                | 11/7/2017        | 12/31/2019      |
| <i>County Administrator</i>                 |            |  |                  |                 |
| Ash   | David L.   | County Administrator                                 | 3/19/1991        |                 |
| <i>Director of Economic Development</i>     |            |  |                  |                 |
| Capelli                                     | Len        | Director of Economic Development                     | 4/14/2015        |                 |

|  |            |   | <i>Appt Date</i> | <i>Exp Date</i> |
|--|------------|---|------------------|-----------------|
| <i>Economic Development Advisory Committee</i>                         |            |   |                  | <i>4 Yr</i>     |
| Barb   | Jim        | Real Estate Rep, Business Owner                         | 12/19/2017       | 12/31/2021      |
| Capelli  | Len        | Director of Economic Development                        |                  |                 |
| Conrad   | Bryan H.   | Agriculture, Fire & Rescue                              | 12/16/2014       | 12/31/2018      |
| Dunkle   | Christy    | Town of Berryville Representative                       | 1/1/2016         | 12/31/2019      |
| Kraybill   | Christina  | 2018 Vice Chair, Berryville District,<br>Business Owner | 12/19/2017       | 12/31/2021      |
| McKay  | Beverly B. | BoS - Appointed Member                                  | 1/16/2018        | 12/31/2018      |
| Milleson   | John R.    | 2018 Chair, Banking, Finance                            | 12/16/2014       | 12/31/2018      |
| Myer   | Dr. Eric   | Agriculture Rep, Business Owner                         | 12/16/2014       | 12/31/2018      |
| Pritchard  | Elizabeth  | Hospitality Industry                                    | 8/16/2016        | 8/31/2020       |
| Walburn  | Lora       | EDAC Clerk  |                  |                 |
| <i>Family Assessment and Planning Team</i>                             |            |   |                  | <i>3 Yr</i>     |
| Allen  | Gay        | DSS - Foster Care Worker                                | 12/31/2018       | 12/31/2021      |
| Davis  | Sara       | Parent Representative                                   | 8/15/2017        | 12/31/2020      |
| Myers-DePina   | Martia     | Northwestern Community Svcs Board<br>Rep                | 12/18/2018       | 12/31/2021      |
| Phillips   | Courtney   | 26th District Court Svcs Unit                           | 10/17/2017       | 12/31/2019      |
| Rousseau   | Christian  | Private Provider - Intensive Supervisor<br>& Counseling | 6/12/2017        | 12/31/2020      |
| Thompson   | Christine  | CCPS - Social Worker                                    | 7/18/2017        | 12/31/2019      |
| <i>Fire &amp; EMS Commission</i>                                       |            |   |                  | <i>4 Yr</i>     |
| Conrad   | Bryan H.   | Citizen-at-large  | 9/1/2015         | 8/31/2019       |
| Harrison   | Diane      | Citizen-at-large  | 6/20/2017        | 8/31/2021       |
| Hoff   | Matt       | Boyce VFRC Rep  | 9/18/2018        | 8/31/2019       |
| Lawrence   | Doug       | John H. Enders VFRC Rep                                 | 10/16/2018       | 8/31/2019       |
| Lichty   | Brian      | Staff Representative                                    | 11/14/2016       |                 |
| Nicholson  | Andrew     | Citizen-at-large  | 10/17/2017       | 8/31/2020       |
| Roper  | Anthony    | Sheriff   | 1/1/2016         | 12/31/2019      |
| Weiss  | David S.   | BoS - Representative                                    | 1/16/2018        | 12/31/2018      |
| White  | Jacob      | Blue Ridge VFRC Rep                                     | 10/16/2018       | 8/31/2019       |
| <i>Handley Regional Library Board</i>                                  |            |   |                  | <i>4 Yr</i>     |
| Leahy  | Cindy      | White Post District                                     | 11/21/2017       | 11/30/2021      |
| <i>Industrial Development Authority of the Clarke County, Virginia</i> |            |   |                  |                 |
| Capelli  | Len        | Director of Economic Development                        |                  |                 |
| Cochran  | Mark       | Buckmarsh District; Chair 2018                          | 10/17/2017       | 10/30/2021      |
| Ferrell  | Brian      | Buckmarsh District; Vice Chair 2018                     | 6/21/2016        | 10/30/2019      |
| Jones  | Paul       | Russell District  | 3/15/2016        | 10/30/2019      |
| Juday  | David      | Russell District  | 10/16/2018       | 10/30/2022      |

*Wednesday, December 26, 2018*

*Page 5 of 8*

|   |            |  | <i>Appt Date</i> | <i>Exp Date</i>    |
|---|------------|--|------------------|--------------------|
| Koontz  | English    | Buckmarsh District                               | 10/16/2018       | 10/30/2022         |
| Pierce  | Rodney     | Buckmarsh District                               | 10/18/2016       | 10/30/2020         |
| Waite   | William    | Millwood District; Secretary/Treasurer<br>2018   | 10/31/2017       | 10/30/2021         |
| Walburn   | Lora       | IDA Clerk  |                  |                    |
| Weiss   | David S.   | BoS - Liaison                                    | 1/16/2018        | 12/31/2018         |
| <i>Joint Administrative Services Board</i>                              |            |  |                  | <i>Open-End</i>    |
| Ash   | David L.   | County Administrator                             | 12/22/1993       |                    |
| Bishop  | Chuck      | School Superintendent                            | 7/1/2014         |                    |
| Judge   | Tom        | Staff Representative                             | 2/14/1994        |                    |
| Keeler  | Sharon     | Treasurer  | 3/12/2005        |                    |
| McKay   | Beverly B. | BoS - Alternate                                  | 1/16/2018        | 12/31/2018         |
| Schutte   | Charles    | School Board Representative                      | 1/8/2012         |                    |
| Weiss   | David S.   | BoS - Appointed Member                           | 1/16/2018        | 12/31/2018         |
| <i>Josephine School Community Museum Board</i>                          |            |  |                  |                    |
| Daniel  | Mary L.C.  | BoS - Liaison                                    | 1/16/2018        | 12/31/2018         |
| <i>Legislative Liaison and High Growth Coalition</i>                    |            |  |                  | <i>1 Yr</i>        |
| Daniel  | Mary L.C.  | BoS - Liaison                                    | 1/16/2018        | 12/31/2018         |
| <i>Lord Fairfax Community College Board</i>                             |            |  |                  | <i>4 Yr</i>        |
| Daniel  | William    | Berryville District                              | 7/19/2016        | 6/30/2020          |
| <i>Lord Fairfax Emergency Medical Services Council</i>                  |            |  |                  | <i>1 Yr</i>        |
| Conrad  | Bryan H.   | Volunteer Representative; White Post<br>District | 8/15/2018        | 8/15/2019          |
| Trent   | Carolyn    | Medical Professional                             | 8/15/2018        | 8/15/2019          |
| Wilson  | Wade       | Career Representative                            | 8/15/2018        | 8/15/2019          |
| <i>Northern Shenandoah Valley Regional Commission</i>                   |            |  |                  | <i>1 Yr</i>        |
| Daniel  | Mary L.C.  | BoS - Alternate                                  | 1/16/2018        | 12/31/2018         |
| McKay   | Beverly B. | BoS - Appointed Member                           | 1/16/2018        | 12/31/2018         |
| Stidham   | Brandon    | Citizen Representative [Planning<br>Director]    | 4/19/2016        | 1/31/2019          |
| <i>Northwest Regional Adult Drug Treatment Court Advisory Committee</i> |            |  |                  | <i>Open End</i>    |
| Byrd  | Barbara J. | Russell District                                 | 1/16/2018        | 12/31/2018         |
| <i>Northwestern Community Services Board</i>                            |            |  |                  | <i>3 Yr</i>        |
| Brown   | Audrey     | White Post District                              | 11/21/2017       | 12/31/2020         |
| Harris  | Celie      | Millwood District                                | 11/17/2015       | 12/31/2018         |
| <i>Northwestern Regional Jail Authority</i>                             |            |  |                  | <i>1 Yr</i>        |
| Ash   | David L.   | BoS - Appointed Member                           | 1/16/2018        | 12/31/2018         |
| <i>Wednesday, December 26, 2018</i>                                     |            |  |                  | <i>Page 6 of 8</i> |

|   |            |   | <i>Appt Date</i> | <i>Exp Date</i>    |
|---|------------|---|------------------|--------------------|
| Byrd  | Barbara J. | BoS - Liaison - Alternate               | 1/16/2018        | 12/31/2018         |
| Roper   | Anthony    | Sheriff                                 | 1/1/2016         | 12/31/2019         |
| Wyatt   | Jimmy      | Millwood District                       | 11/17/2015       | 12/31/2019         |
| <i>Northwestern Regional Juvenile Detention Center Commission</i>                       |            |   |                  | <i>1 Yr</i>        |
| Byrd  | Barbara J. | BoS - Liaison                           | 1/16/2018        | 12/31/2018         |
| Wyatt   | Jimmy      | Millwood District                       | 12/20/2016       | 12/20/2020         |
| <i>Old Dominion Alcohol Safety Action Policy Board &amp; Division of Court Services</i> |            |   |                  | <i>3 Yr</i>        |
| Roper   | Anthony    | Sheriff                                 | 12/20/2016       | 12/31/2019         |
| <i>Old Dominion Community Criminal Justice Board</i>                                    |            |   |                  | <i>3 Yr</i>        |
| Roper   | Anthony    | Sheriff                                 | 12/20/2016       | 12/31/2019         |
| <i>Our Health</i>   |            |   |                  | <i>3 Yr</i>        |
| Shipe   | Diane      | Buckmarsh District                      | 7/19/2016        | 3/15/2019          |
| <i>Parks &amp; Recreation Advisory Board</i>  |            |   |                  | <i>1 Yr</i>        |
| Catlett   | Terri T.   | BoS - Liaison                           | 1/16/2018        | 12/31/2018         |
| Heflin  | Dennis     | White Post District                     | 12/20/2016       | 12/31/2019         |
| Huff  | Ronnie     | Town of Berryville Representative       | 1/1/2016         | 12/31/2019         |
| Jones   | Paul       | Russell District; At Large              | 12/16/2014       | 12/31/2018         |
| Lichliter   | Gary       | Russell District                        | 12/20/2016       | 12/31/2019         |
| Rhodes  | Emily      | Buckmarsh District                      | 11/17/2015       | 12/31/2019         |
| Sheetz  | Daniel A.  | Berryville District                     | 12/19/2017       | 12/31/2021         |
| Smith   | Tracy      | Millwood District                       | 12/19/2017       | 12/31/2021         |
| Trenary   | Randy      | School Superintendent Designee          | 10/24/2013       |                    |
| Wisecarver  | Steve      | Appointed by Town of Boyce              | 1/2/2018         | 7/31/2018          |
| <i>People Inc. of Virginia</i>  |            |   |                  | <i>3 Yr</i>        |
| Hillerson   | Coleen     | Clarke County Rep Board of Directors    | 8/16/2016        | 7/31/2019          |
| <i>Regional Airport Authority</i>   |            |   |                  | <i>1 Yr</i>        |
| Ash   | David L.   | BoS - Alternate                         | 1/16/2018        | 12/31/2018         |
| Crawford  | John       | Buckmarsh District                      | 7/19/2016        | 6/30/2020          |
| McKay   | Beverly B. | BoS - Alternate                         | 1/16/2018        | 12/31/2018         |
| <i>Shenandoah Area Agency on Aging, Inc.</i>  |            |   |                  | <i>4 Yr</i>        |
| Pritchard   | Elizabeth  |   | 9/30/2018        | 9/30/2022          |
| <i>Shenandoah Valley Chief Local Elected Officials Consortium</i>                       |            |   |                  |                    |
| Ash   | David L.   | BoS Designee for Chief Elected Official |                  |                    |
| <i>Shenandoah Valley Workforce Development Board</i>                                    |            |   |                  | <i>4 Yr</i>        |
| James   | Patricia   | Buckmarsh District                      | 5/16/2017        | 11/9/2017          |
| <i>Wednesday, December 26, 2018</i>   |            |   |                  | <i>Page 7 of 8</i> |



|                                       |            |                           | <i>Appt Date</i> | <i>Exp Date</i> |
|---------------------------------------|------------|---------------------------|------------------|-----------------|
| <i>Strategic Planning Committee</i>   |            |                           |                  | 1 Yr            |
| Catlett                               | Terri T.   | BoS - Appointed Member    | 1/16/2018        | 12/31/2018      |
| <i>Towns and Villages: Berryville</i> |            |                           |                  | 1 Yr            |
| Byrd                                  | Barbara J. | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| Daniel                                | Mary L.C.  | BoS - Liaison - Alternate | 1/16/2018        | 12/31/2018      |
| <i>Towns and Villages: Boyce</i>      |            |                           |                  | 1 Yr            |
| Catlett                               | Terri T.   | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| McKay                                 | Beverly B. | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| <i>Towns and Villages: Millwood</i>   |            |                           |                  | 1 Yr            |
| Catlett                               | Terri T.   | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| <i>Towns and Villages: Pine Grove</i> |            |                           |                  | 1 Yr            |
| Catlett                               | Terri T.   | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| Weiss                                 | David S.   | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| <i>Towns and Villages: White Post</i> |            |                           |                  | 1 Yr            |
| McKay                                 | Beverly B. | BoS - Liaison             | 1/16/2018        | 12/31/2018      |



# Board of Supervisors Organizational Meeting & Work Session Agenda

Berryville/Clarke County Government Center, 2<sup>nd</sup> Floor  
101 Chalmers Court, Berryville, Virginia 22611

January 7, 2019 10:00 AM

Item  
No. Description

A. Organizational Items:

2019-01-07-Summary:

Board Members Present: Barbara Byrd, Terri Catlett, Mary Daniel, Beverly McKay, David Weiss

Officers / Staff Present: David Ash, Barbara Bosserman, Tom Judge, Cathy Kuehner, Brian Lichty,  
Tony Roper, Brandon Stidham, Lora B. Walburn

Press Present: Mickey Powell – The Winchester Star

At 10:07 am, David Ash, County Administrator and Clerk to the Board of Supervisors, called the meeting to order.

– Elect Chair

Mr. Ash called for nominations for Chair.

Supervisor McKay nominated and moved to elect Supervisor Weiss to serve as 2019 Chair.

Supervisor Byrd moved to close the nominations.

David Ash called for vote.

The motion carried as follows:

Barbara J. Byrd – Aye  
Terri T. Catlett – Aye  
Mary L.C. Daniel – Aye  
Beverly B. McKay – Aye  
David S. Weiss – Aye

David Ash turned the meeting over to 2019 Chair David Weiss.

– Elect Vice Chair

Chairman Weiss called for nominations for 2019 Vice Chair.

Supervisor Daniel nominated and moved to elect Supervisor to serve as 2019 Vice Chair.

Supervisor Byrd moved to close the nominations.

Chairman Weiss called for vote.

The motion carried as follows:

Barbara J. Byrd - Aye  
Terri T. Catlett - Aye  
Mary L.C. Daniel - Aye  
Beverly B. McKay - Aye  
David S. Weiss - Aye

- Set Meeting Date, Time and Location

Vice Chair McKay moved to adopt the 2019 Board of Supervisors Meeting Schedule as presented. The motion carried as follows:

Barbara J. Byrd - Aye  
Terri T. Catlett - Aye  
Mary L.C. Daniel - Aye  
Beverly B. McKay - Aye  
David S. Weiss - Aye

- Adopt Rules of Procedure

Supervisor Byrd moved to adopt Rules of Procedure as presented. The motion carried as follows:

Barbara J. Byrd - Aye  
Terri T. Catlett - Aye  
Mary L.C. Daniel - Aye  
Beverly B. McKay - Aye  
David S. Weiss - Aye

- 2018 Chair Appointments Review

The Board reviewed the 2018 appointments. The members agreed that alternates were needed to serve on the Conservation Easement Authority and the Fire and Emergency Medical Services Commission.

Supervisor Catlett offered to act as alternate to Supervisor Byrd on the Conservation Easement Authority.

The Board deferred action to the January 15, 2019, Regular Meeting.

At 10:18 am, the Organizational Meeting was completed and the Supervisors entered its regular Work Session.

- Annual Distribution: Information Only
  - o *Code of Virginia Title 2.2. Administration of Government Chapter 37. Virginia Freedom of Information Act*
  - o *Code of Virginia Title 42.1. Libraries Chapter 7. Virginia Public Records Act*

B. Distribution and Selection of New Clarke County Wordmark Logo

2019-01-07 Summary: Cathy Kuehner, Public Information Officer, joined the Board to review her proposed designs. Following review and discussion, the Board requested some modified examples for review and selection.

In a related matter, the Board:

- Discussed its expectations and provided direction on updating and operating the existing websites and progress on the creation of a new, expanded government website.
- Directed that the existing websites be reviewed for current information, accuracy, and the Public Information Officer assume responsibility for update and management of all County websites under the jurisdiction of the Board.

The direction to assume management and update is not to be construed as removing the authority of the various departments update and revise those web pages when needed.

Further, the Board directed the County Administrator to notify all departments maintaining web pages to cooperate with and support this effort.

Reminders:

- 2019 Conflict of Interest mailed Wednesday, December 26, 2018, due in Clarke County Administration by 5 pm, Friday, February 1, 2019.

## 2019 Clarke County Board of Supervisors Meeting Schedule - Draft

| <i>Meeting Type</i>  | <i>Day</i>      | <i>Date</i>       | <i>Time</i>     | <i>Additional Info</i>                       |
|----------------------|-----------------|-------------------|-----------------|--|
| Work Session*        | Monday          | January 7         | 10:00 am        | 2019 Organizational Meeting                  |
| Regular Meeting      | Tuesday         | January 15        | 1 pm            |  |
| Work Session*        | Monday          | February 11       | 10:00 am        |  |
| Regular Meeting      | Tuesday         | February 19       | 1 pm            |  |
| Work Session*        | Monday          | March 11          | 10:00 am        |  |
| Regular Meeting      | Tuesday         | March 19          | 1 pm            |  |
| Work Session*        | Monday          | April 8           | 10:00 am        |  |
| Regular Meeting      | Tuesday         | April 16          | 1 pm            |  |
| Work Session*        | Monday          | May 13            | 10:00 am        |  |
| Regular Meeting      | Tuesday         | May 21            | 1 pm            |  |
| Work Session*        | Monday          | June 10           | 10:00 am        |  |
| Regular Meeting      | Tuesday         | June 18           | 1 pm            |  |
| Work Session*        | Monday          | July 8            | 10:00 am        |  |
| Regular Meeting      | Tuesday         | July 16           | 1 pm            |  |
| Work Session*        | Monday          | August 12         | 10:00 am        |  |
| Regular Meeting      | Tuesday         | August 20         | 1 pm            |  |
| Work Session*        | Monday          | September 9       | 10:00 am        |  |
| Regular Meeting      | Tuesday         | September 17      | 1 pm            |  |
| <i>Work Session*</i> | Monday          | <i>October 7</i>  | 10:00 am        |  |
| Regular Meeting      | Tuesday         | October 15        | 1 pm            |  |
| <i>Work Session*</i> | <i>Thursday</i> | <i>November 7</i> | <i>10:00 am</i> | <i>85th VACo Conference November 10 - 12</i> |
| Regular Meeting      | Tuesday         | November 19       | 1 pm            |  |
| Work Session         | Monday          | December 9        | 10:00 am        |  |
| Regular Meeting      | Tuesday         | December 17       | 1 pm            |  |

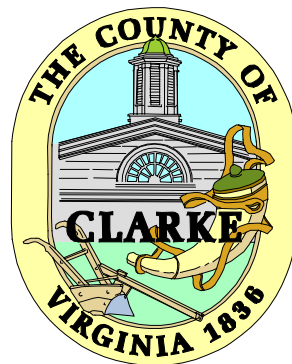
Unless otherwise noted, Regular Meetings are held in the Main Meeting Room, Work Sessions and Committee Meetings are held in Meeting Room AB in the Berryville Clarke County Government Center, 2<sup>nd</sup> Floor, 101 Chalmers Court, Berryville, Virginia

\*Note: Unless otherwise noted, BoS Personnel Committee Meetings typically start at 9:30 am on Work Session days; BoS Finance Committee Meetings typically start immediately after Work Sessions. Work Sessions scheduled for Committee Meeting days on matters for which the Board has deemed additional discussion and/or information necessary.

Agenda Items / Packet Material due by 5 pm on the Monday one week prior to the scheduled meeting.

# Clarke County, Virginia Board of Supervisors

# Rules of Procedure



Rules of Procedure

Record of Revision

| <i>Revision No.</i> | <i>Revision Date</i> | <i>Description of Change</i>  |
|---------------------|----------------------|---|
| 8                   | 01/09/2012           | Section 4-1 Order of Business: Add Item j) Joint Administrative Services Board Monthly Update; move Board of Supervisors Committee Status Reports before Closed Session; move f) Citizen Comment Period and g) Department of Transportation Matters below item c) and re-letter; add to first sentence "normally" |
| 9                   | 1/7/2013             | Change Article IV —Conduct Of Business Section 4-1. Order of Business Move Citizen Comment Period to Item C after Adoption of Agenda.   |
| 10                  | 1/13/2014            | Article 1 Meetings Section 1-11. Limitations on duration and hour of meetings; Adjournment change from three [3] to four [4] hours. Article IV – Conduct of Business Section 4-1. Order of Business d) School Board Update add [as requested]   |
| 11                  | 1/12/2015            | Add Section 1-12. Electronic Participation in Meetings from Remote Locations  |
| N/A                 | 1/11/2016            | Reviewed – No Change  |
| N/A                 | 1/09/2017            | Reviewed – No Change  |
| 12                  | 1/08/2018            | Amend and replace Section 4.2 Adoption of Agenda  |
| 13                  | 08/29/2018           | Amend and retitle "Section 1-12. Electronic Participation in Meetings from Remote Locations" to "Section 1-12 Meetings held through electronic communication means" as set forth in § 2.2-3708.2. Sections §2.2-3708 and §2.2-3708.1 repealed by Acts 2018  |
|                     |                      |   |
|                     |                      |   |
|                     |                      |   |
|                     |                      |   |
|                     |                      |   |
|                     |                      |   |
|                     |                      |   |
|                     |                      |   |
|                     |                      |   |
|                     |                      |   |
|                     |                      |   |
|                     |                      |   |
|                     |                      |   |

Rules of Procedure

Record of Revisions

| <i>Revision No.</i> | <i>Revision Date</i> | <i>Description of Change</i>   |
|---------------------|----------------------|--|
| New                 | 01/15/02             | New Document   |
| 1                   | 01/21/03             | For consistent language, use Chair and Vice Chair throughout document. Information map and add attachment section: Closed Meetings Procedure, Sample Sign-in Sheets Citizen Comments and Public Hearing  |
| N/A                 | 1/12/04              | Reviewed and adopted as written – no change  |
| 2                   | 1/18/05              | Page 13, Article IV Conduct of Business, Section 4-1. Order of Business, Item J Public Hearings be moved to G; Item I Scheduled Presentations moved to H, and the section renumbered accordingly   |
| 3                   | 1/17/06              | <i>2006 date set for Board meetings is the third Tuesday of each month beginning at 2:00 pm; The alternate date for meetings for 2006 was set for 2:00 pm on the Thursday following the regularly-scheduled Tuesday; Page 12 Conduct of Business move Item (g) Public Hearings to Item (n) and list Item (e) Citizens' Comment in afternoon and evening session as Item (m)</i>  |
| 4                   | 3/20/07              | <i>2007 regular meeting date and alternate remain unchanged. Start time changed from 2:00 pm to 1:00 pm. Section 4-5 Scheduled Presentations add bullet "The bias of the Board is that the Chair . . . rest of the Board at the meeting."</i>  |
| 5                   | 01/12/2009           | Amend Section 1-1. Annual Meeting; Schedule of Regular Meetings Main Meeting Room, Berryville Clarke County Joint Government Center, <del>Board of Supervisors' Meeting Room of the Circuit Courthouse, Berryville, Virginia;</del> ; Amend Section 3-3. Posting and Notice and included with the calendars mailed pursuant to § 2.2-3707(E) of the Code of Virginia, as amended.; Amend Section 5-6. Order of Speaking; Remove Attachment C   |
| 6                   | 01/01/2010           | Amend 1-8 Reconsideration of Motions, Etc., Upon Which Vote Has Been: Remove <del>At any meeting of the Board,</del> ... Add - A motion to reconsider may only be made at the meeting at which the vote was taken, or at the next succeeding regular meeting of the Board or at any intervening meeting of the Board before the next succeeding regular meeting of the Board. Announced 4-1 Order of Business: Add School Board Update after Adoption of Agenda, Add Board Member Committee Status Reports after Closed Session [when necessary] |
| 7                   | 01/01/2011           | 3.3 change from <del>www.co.clarke.va.us</del> to <a href="http://www.clarkecounty.gov">www.clarkecounty.gov</a> ; 3.4 change from <del>the Public Library</del> to <b>official County website</b> ; <b>add</b> Individuals desiring complete <b>paper</b> copies . . . ;  |



Rules of Procedure

---

**Table of Contents**

Table of Contents ..... 4

Article I—Meetings..... 6

    Section 1-1. Annual Meeting; Schedule of Regular Meetings ..... 6

    Section 1-2. Special Meetings ..... 6

    Section 1-3. Adjourned Meetings..... 6

    Section 1-4. Quorum and Method of Voting..... 6

    Section 1-5. Motions..... 7

    Section 1-6. Motion to Adjourn ..... 7

    Section 1-7. Motions While a Question is Under Debate ..... 7

    Section 1-8. Reconsideration of Motions, Etc., Upon Which Vote Has Been Announced 7

    Section 1-9. Robert’s Rules of Order; Suspending Rules ..... 8

    Section 1-10. Board to Sit with Open Doors ..... 8

    Section 1-11. Limitations on duration and hour of meetings; Adjournment ..... 8

    Section 1-12. Meetings held through electronic communication means policy and approval process ..... 9

Article II—Officers..... 13

    Section 2-1. Chair and Vice Chair ..... 13

    Section 2-2. Authority of the Chair ..... 13

    Section 2-3. Clerk..... 14

Article III—Agenda..... 15

    Section 3-1. Preparation..... 15

    Section 3-2. Delivery ..... 15

    Section 3-3. Posting and Notice ..... 15

    Section 3-4. Copies ..... 15

Article IV—Conduct Of Business ..... 16

    Section 4-1. Order of Business..... 16

    Section 4-2. Adoption of Agenda ..... 16

    Section 4-3. Consent Agenda..... 17

    Section 4-4. Citizen Comment Period..... 17

    Section 4-5. Scheduled Presentations..... 18

Article V – Public Hearings ..... 20

Rules of Procedure

|  |    |
|--|----|
| Section 5-1. Format for Public Hearings .....                                  | 20 |
| Section 5-2. Order of Business.....  | 20 |
| Section 5-3. Identification of Issue and Verification of Required Notice ..... | 20 |
| Section 5-4. Staff and/or applicant presentation .....                         | 20 |
| Section 5-5. Public Comment .....  | 21 |
| Section 5-6. Order of Speaking .....   | 21 |
| Section 5-7. Presentation of Comments .....                                    | 21 |
| Section 5-8. Supervisors' Questions.....                                       | 21 |
| Section 5-9. Close of Hearing.....   | 21 |
| Article VI—Citizen Responsibilities .....                                      | 23 |
| Section 6-1. Application of Rules.....   | 23 |
| Section 6-2. Addressing the Board. ....  | 23 |
| Section 6-3. Conduct while Speaking .....                                      | 23 |
| Section 6-4. Name and place of residence.....                                  | 23 |
| Section 6-5. Organizational Representation .....                               | 23 |
| Section 6-6. Order of Speaking .....   | 24 |
| Section 6-7. Time Limits .....   | 24 |
| Section 6-9. Written copy of comments .....                                    | 24 |
| Section 6-10. Information sources .....  | 24 |
| Article VII—Appointments.....  | 25 |
| Section 7-1. Appointments .....  | 25 |
| Article VIII—Amendments.....   | 25 |
| Section 8-1. Amendments .....  | 25 |
| Attachments.....   | 25 |
| Attachment A – Closed Meetings Procedure .....                                 | 26 |
| Attachment B – Citizen Comment Period – Sign-In Sheet .....                    | 27 |

Rules of Procedure

---

**Article I—Meetings**

---

*Section 1-1. Annual Meeting; Schedule of Regular Meetings*

On the third Tuesday of January of each year, or on such other date in the month of January as it may designate, the Board shall assemble in the Main Meeting Room, Berryville Clarke County Joint Government Center or such other public place as it may designate, in regular session and conduct its annual or organizational meeting.

During the course of such meeting, the Board shall fix the date, time, and place of all of its regular meetings during the ensuing calendar year, and shall fix the day on which a regular meeting shall be continued should the Chair later declare that weather or other conditions make it hazardous for members to attend.

Thereafter, no changes shall be made to the schedule of regular meetings and continued dates of same unless the requirements of Section 15.2-1416 of the Code of Virginia, 1950, as amended, are first met.

---

*Section 1-2. Special Meetings*

The Board of Supervisors may hold such special meetings as it deems necessary and at such times and places as it may find convenient.

A special meeting can only be called pursuant to the requirements imposed by Sections 15.2-1417 and 15.2-1418 of the Code of Virginia, 1950, as amended.

---

*Section 1-3. Adjourned Meetings*

Upon majority vote of the members attending, the Board may continue its meetings, regular or special, from time to time as it may find convenient or necessary with no requirement to further advertise or announce.

---

*Section 1-4. Quorum and Method of Voting*

At any meeting, a majority of the Supervisors shall constitute a quorum.

All questions submitted to the Board for decision shall be determined by a majority vote of the Supervisors present and voting on any such question, unless otherwise provided by law or these Rules of Procedure.

The name of each member voting and how he or she voted will be recorded for each action taken by the Board of Supervisors.

The Board of Supervisors has elected not to have a tiebreaker, as provided for by the Code of Virginia, 1950, as amended.

---

---

Rules of Procedure

---

*Section 1-5. Motions* Subject to limitations imposed hereafter in these rules, discussion of items on the agenda shall be permitted for purposes of clarifying the issues and/or the options available for consideration.

No call for a vote shall be allowed until a member of the Board moves a specific action with reasonable clarity and each member of the Board has thereafter had an opportunity to speak to the specific motion. Motions shall not require a second.

When possible, Board members making complex, multi-part, or lengthy motions are requested to provide the clerk with a written copy of the motion at the time the motion is made.

---

*Section 1-6. Motion to Adjourn* At a meeting of the Board, a motion to adjourn shall always be in order and shall be decided without debate, provided each member of the Board is given a reasonable opportunity to be heard.

---

*Section 1-7. Motions While a Question is Under Debate* When a motion is under debate at a meeting of the Board no motion shall be received unless it is one:

- To amend,
  - To commit,
  - To postpone,
  - For the previous question,
  - For a substitute motion to lay on the table,
  - Or to adjourn.
- 

*Section 1-8. Reconsideration of Motions, Etc., Upon Which Vote Has Been Announced* When any vote upon any motion, resolution, ordinance, or question has been previously announced, it may not be reconsidered unless and until a motion to that effect is presented by a member of the Board who previously voted with the prevailing side when such motion, resolution, ordinance, or question was considered. A motion to reconsider may only be made at the meeting at which the vote was taken, or at the next succeeding regular meeting of the Board or at any intervening meeting of the Board before the next succeeding regular meeting of the Board.

Any such motion to reconsider shall be decided by a majority vote of the members present at the time such motion to reconsider is presented.

---

---

Rules of Procedure

---

*Section 1-9. Robert's Rules of Order; Suspending Rules*

The proceedings of the Board of Supervisors, except as otherwise provided in these rules and by applicable State law, shall be governed by Robert's Rules of Order.

These Rules of Procedure of the Board may only be suspended on presentation of a motion to that effect, which is carried by unanimous vote of the members present and voting.

---

*Section 1-10. Board to Sit with Open Doors*

The Board of Supervisors shall sit with open doors, and all persons conducting themselves in an orderly manner may attend the meetings. However, the Board may hold closed meetings as permitted by law.

Closed meetings may be placed on the agenda, or may be requested by any member of the Board. However, no closed meeting shall be convened unless and until the Board has favorably acted on a motion to so convene, and, then, only if such motion accurately states a lawful reason for such closed meeting as permitted by and outlined in Section 2.2-3701344 of the Code of Virginia, 1950, as amended.

For additional detail, refer to Attachment A – Closed Meetings Procedure of this document.

---

*Section 1-11. Limitations on duration and hour of meetings; Adjournment*

Meetings of the Board of Supervisors shall not continue for more than four [4] consecutive hours or later than 10:00 pm without the consent of a majority of the members present.

Should it appear to the Chair that the matter or matters before the Board cannot be heard within the time remaining, the Chair shall poll the members of the Board to determine the desire of the members.

The Chair shall adjourn or recess the meeting upon final action on the current agenda item unless a majority of the members agree to exceed the limits established by this section.

Any items not taken up by the Board of Supervisors prior to adjourning will be added to the agenda of the next meeting without further action of the Board.

---

Rules of Procedure

---

Section 1-12.  
Meetings held through  
electronic  
communication means  
policy and approval  
process

**Policy:**

It is the policy of Clarke County Board of Supervisors that its individual members may participate in meetings of the Board of Supervisors by electronic means as permitted by Virginia Code § 2.2-3708.2. This policy shall apply to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

Whenever an individual member wishes to participate from a remote location, the law requires a quorum of Board of Supervisors to be physically assembled at the primary or central meeting location, and there must be arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

When such individual participation is due to an emergency or personal matter, **such participation is limited by law to two meetings of the public body per member each calendar year, whichever is fewer.**

Note: Nothing in this section shall be construed to prohibit the use of interactive audio or video means to expand public participation.

**Approval Process:**

Automatic Approval with Vote if Challenged.

Individual participation from a remote location shall be approved unless such participation would violate this policy or the provisions of the Virginia Freedom of Information Act.

If a member's participation from a remote location is challenged, then the Board of Supervisors shall vote whether to allow such participation.

If Board of Supervisors votes to disapprove of the member's participation because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity.

**Disability or Medical Condition or Personal Matter Prevents Physical Attendance (Applies to all public bodies):**

- 1) Physically assembled quorum is required;
-

Rules of Procedure

---

- 2) Remote member's voice must be heard by all;
- 3) Member must notify chair of inability to attend due to temporary or permanent disability or other medical condition that prevents physical attendance on or before the day of the meeting;
- 4) Fact of disability or medical condition must be recorded in the minutes;
- 5) Remote location must be recorded in the minutes; and,
- 6) Member's remote participation must be in accord with the policy on electronic participation adopted by the public body. While the fact that a disability or medical condition prevents the members' physical attendance must be recorded in the minutes, it is not required to identify the specific disability or medical condition.
- 7) Member participating through electronic communications means under this section may make motions, vote, join in closed meetings, and otherwise participate fully as if he or she was physically present.

Examples:

- Temporary hospitalization or confined to home;
- Contagious illness; or
- Any permanent physical disability that prevents travel to the meeting location.

If the procedural requirements are not met, however, then the member may only monitor the meeting (i.e., listen or watch, depending on the technology used) and cannot otherwise participate.

The remote location where the member using electronic communications is does not have to be open to the public under these provisions.

**Personal Matter Prevents Attendance:**

- 1) Physically assembled quorum is required;
  - 2) Remote member's voice must be heard by all;
  - 3) Remote member must notify chair of the public body on or before the day of the meeting;
-

---

## Rules of Procedure

---

- 4) Nature of the emergency or personal matter must be identified;
- 5) Nature of the personal matter must be recorded in the minutes;
- 6) Remote location must be recorded in the minutes; and
- 7) Participation because of a personal matter that prevents attendance is limited to two (2) meetings per calendar year.

If a member's participation is disapproved because it would violate the public body's policy on participation, that fact must be recorded in the minutes with specificity. However, the member may continue to monitor the meeting from the remote location, but may not participate in the proceeding and may not be counted as present at the meeting.

### Examples:

- Flat tire on the way to the meeting, call in from cell phone at side of the road;
- Traffic congestion or stoppage;
- Personal, family, or business emergency; or
- Blizzard, flood, or other sudden severe weather conditions that prevent travel to the meeting location.
- Business trip;
- Family trip; or
- Scheduling conflicts.

### Monitoring a meeting:

As stated above, if a member of a public body cannot meet the procedural requirements to participate in a meeting by electronic communication means, the member may still monitor the meeting by listening or watching by electronic communication means. However, the member cannot be counted as present and cannot participate.

In such a situation, as a matter of best practices, it is suggested that the chair of the public body make a statement to inform the public and the other members, such as "Please observe that [member name] could not attend today's meeting, but is [listening/watching] the meeting [by speakerphone, videoconference, or whatever electronic communication means is being utilized]. However, [member name] is only monitoring the meeting. [He/she] is not counted as present, and cannot make motions, vote, or otherwise part

---



Rules of Procedure

---

**State of Emergency Declared by the Governor (Applies to all public bodies)**

Any public body may meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, subject to the follow procedures and conditions:

- a. The catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location; and
- b. The purpose of the meeting is to address the emergency.

In addition, the public body must:

- a. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided members of the local public body conducting the meeting;
  - b. Make arrangements for public access to such meeting;
  - c. Otherwise comply with the provisions of § 2.2-3708.2.
  - d. State in the minutes the nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held.
-

Rules of Procedure

---

Article II—Officers

---

*Section 2-1. Chair  
and Vice Chair*

At the annual or organizational meeting of the Board of Supervisors, as described in Section 1-3 hereof, the Board shall elect from its membership a Chair and a Vice Chair, each of whom shall serve for a one-year term expiring on December 31<sup>st</sup> of the same year in which he or she is elected, provided however, that unless the term of office has expired and the member has not been re-elected, the Chair and Vice-Chair shall serve until their respective successor(s) shall have been elected and qualify.

In the event that the Chair is absent from any meeting the Vice Chair shall assume the authority and duties of the Chair.

In the event the Chair and Vice Chair are absent from any meeting of the Board, then, the members present at such meeting shall choose one of their number as temporary Chair by majority vote of the members present and voting.

---

*Section 2-2. Authority  
of the Chair*

The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum, and the Board will permit no behavior, which is not in keeping with this policy.

The Chair shall preserve order and decorum at all meetings.

- He shall recognize persons desiring to speak and shall ensure that speaker's comments are limited to the issue before the Board for consideration and that any limitations on time are observed.
  - The Chair shall ensure that all persons entitled and desiring to speak are permitted to do so without interruption or comment during their presentation.
  - The Chair shall determine if statements are demeaning, inappropriate, or out of order, and shall have the authority to revoke the speaker's right to continue.
- 

*Section 2-2 Authority  
of the Chair  
Continued*

The Chair may order the expulsion of any person for violation of rules, disruptive behavior, or any words or action that incite violence or disorder, subject to appeal to the Board.

- Any person so expelled shall not be readmitted for the remainder of the meeting from which he was expelled.
  - Any person who has been so expelled and who at a later meeting again engages in words or actions justifying expulsion may be barred from
-

Rules of Procedure

---

attendance at future meetings of the Board for a specified and reasonable period of time not to exceed six months or upon a still subsequent expulsion, a period not to exceed one year, either by the Chair, subject to appeal to the board, or by motion passed by the Board.

The Chair shall have the power to administer an oath of honesty to any person concerning any matter submitted to the Board, or, connected with its powers and duties. The power to administer an oath granted to the Chair in this section shall be no greater than the same power authorized by Section 15.2-1410 of the Code of Virginia, 1950, as amended.

---

*Section 2-3. Clerk*

The Clerk of the Board shall be the County Administrator, and the duties and responsibilities of that position shall be as specified in Sections 15.2-407 and 15.2-1539 of the Code of Virginia, 1950, as amended.

At the discretion of the Board, any County employee can be designated as Deputy Clerk, or Temporary Clerk, as the circumstances may require, and said employee shall have the same powers and duties outlined herein for the duration of said appointment.

---

---

Rules of Procedure

---

**Article III—Agenda**

---

*Section 3-1. Preparation*

The Clerk shall prepare an Agenda for each meeting of the Board of Supervisors, conforming to the order of business specified in Section 4-1 under Order of Business.

- Supporting information for every item to be placed on the Regular Meeting Agenda shall be received in the Office of the County Administrator before the close of the working day on the Monday that falls in the week immediately prior to the regularly scheduled Board meeting.
  - Agendas for special meetings shall be prepared as far in advance as the circumstances necessitating the special meeting allow.
  - The clerk shall include on the agenda all matters for which a written request and supporting information have been received in advance of the deadline herein established.
- 

*Section 3-2. Delivery*

Each member of the Board shall receive the Regular Meeting Agenda, along with the supporting information available to staff, on the Friday of the week prior to the regular meeting to be held on the third Tuesday of each month.

Special meeting Agendas and supporting information will be delivered as far in advance as the circumstances necessitating the special meeting allow.

---

*Section 3-3. Posting and Notice*

A copy of the Meeting Agendas shall be available in the Office of the County Administrator as of the date and time the information is distributed to members of the Board.

Agendas will also be posted on the County Web page at [www.clarkecounty.gov](http://www.clarkecounty.gov).

---

*Section 3-4. Copies*

The Clerk or Deputy Clerk of the Board shall prepare or cause to be prepared extra copies of the Agenda and supporting information, and shall make the same available to the public in the Office of the County Administrator and official County website at the same time that the Agenda is posted pursuant to Section 3-3, above.

Individuals desiring complete paper copies of Agenda packages shall arrange with the Clerk for the delivery and cost of the information desired.

The Clerk or Deputy Clerk shall also have a copy of agenda packet available at each meeting.

---

Rules of Procedure

---

**Article IV—Conduct Of  
Business**

---

*Section 4-1. Order of  
Business*

At meetings of the Board, the order of business should normally be as follows:

- (a) Call to Order
- (b) Adoption of Agenda
- (c) Citizens' Comment
- (d) School Board Update *[as requested]*
- (e) Department of Transportation Matters
- (f) Approval of Minutes
- (g) Approval of Consent Agenda
- (h) Scheduled Presentations
- (i) Ratification of Committee Action
- (j) Joint Administrative Services Board Monthly Update
- (k) Project Update
- (l) Miscellaneous Items
- (m) Summary of Required Action
- (n) Board Member Committee Status Reports
- (o) Closed Session *[when required]*

*When public hearings are scheduled, there will be a recess at this point until 6:30 pm and Items (p), (q), and (r) shall be conducted.*

- (p) Citizens' Comment
  - (q) Public Hearings (when required)
  - (r) Adjournment
- 

*Section 4-2. Adoption  
of Agenda*

The Agenda for adoption shall be the agenda prepared and delivered as required in Article III.

The Board shall not take action on any matter not identified in the agenda.

The Board shall not approve additions to the published agenda except for matters requiring the immediate action of the Board on official County business,

---

Rules of Procedure

---

the nature of which demands deliberation and action and for which the Board cannot schedule timely deliberation and action at its next regular meeting or at a specially called session meeting the requirements of § 2.2-3707. Should a matter arise that requires immediate deliberation and action by the Board, the Chair shall, upon determining the matter is not properly identified on the agenda, call for a motion adding the matter to the agenda and identifying need for immediate action, the call for a special meeting, or directing the matter be placed on the next regular meeting agenda.

This procedure shall not be construed to prohibit the reporting of information by and between Board members and staff or identifying matters requested or recommended for future discussion or decision, or matters of interest to individual members or future meetings of other bodies nor notice of future items or meetings of interest to one or more members of the Board.

---

*Section 4-3. Consent Agenda*

The Consent Agenda shall be introduced by a motion "to approve the Consent Agenda", and shall be considered by the Board as a single item. There shall be no debate or discussion by any member of the Board regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

On objection by any member of the Board of Supervisors to inclusion of any item on the Consent Agenda, that item shall be removed from the Consent Agenda forthwith.

- Such objection may be recorded at any time prior to completing the taking of a vote on the motion to approve the Consent Agenda.
- Items, which have been objected to and removed from the Consent Agenda, shall be moved to the Miscellaneous Item on the agenda and be considered individually and in the order in which they were objected to.

Approval of the motion to approve the Consent Agenda shall constitute approval, adoption, or enactment of each motion, resolution, or other item of business thereon, exactly as if each had been acted upon individually.

---

*Section 4-4. Citizen Comment Period.*

Any person desiring to address the Board of Supervisors at the Citizen Comment period shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI—Citizen Responsibilities.

A register for persons desiring to address the Board of Supervisors during the Citizen Comment Period shall be furnished prior to the beginning of every regular meeting of the Board of Supervisors. [For sample, refer to Attachment B – Citizen Comment Period – Sign-In Sheet of this document.] Citizens desiring to address the Board of Supervisors during this period shall provide their name,

Rules of Procedure

---

the issue they want to address, and their place of residence on the register provided.

Each speaker at a Citizen's Comment Period shall be limited to one appearance at each regular meeting of the Board and only issues that are not scheduled for future Public Hearings may be addressed. Individuals speaking during the Citizens' Comment Period shall be subject to a five-minute time limitation.

Members of the Board shall neither engage in debate with, nor shall they be expected to answer questions posed by individuals speaking during the Citizen Comment period.

Should a review of the register indicate that more than two persons desire to speak on the same issue during the Citizen Comment Period the Chair may ask those desiring to speak to pick two people to represent their views.

- If those desiring to speak cannot agree on two representative speakers the Chair shall let the first two citizens speak for up to 5 minutes each but may limit subsequent speakers to the time required to present different opinions or new information.
- In lieu of the above, a majority of the Board of Supervisors present and voting at the meeting may direct the matter be scheduled for public comment at the next regular meeting of the Board, and defer public comment until that time.

*Section 4-5.  
Scheduled  
Presentations*

---

Any person desiring to address the Board of Supervisors at a Scheduled Presentation period of a Board of Supervisors meeting shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI—Citizen Responsibilities.

Any citizen or staff member who desires to address the Board during the "Scheduled Presentations" portion of the Agenda at a Regular Meeting shall submit a written request to the Clerk, or his/her designee, identifying, with reasonable certainty, the subject matter of the presentation.

- Such request must be in the Clerk's hands not later than the Agenda deadline specified in Section 3-1 hereof.
  - The bias of the Board is that the Chair should honor all such requests and the person making the request should be allowed at least five [5] minutes of meeting time to address the Board. However, the Chair may delay the request to a future meeting or decline the request entirely if the meeting schedule is full or the topic is deemed to be inappropriate. Any such action on the part of the Chair must be reported to the rest of the Board at the meeting.
-

---

Rules of Procedure

---

- Only the person requesting to make the presentation may do so, unless otherwise permitted by the Chair, and every such speaker shall be subject to a five minute time limit for the presentation itself, which limit can be extended with agreement of the Chair.
  - Board Member questions and discussion of the material presented shall not be subject to any time limit.
  - Persons making presentations should be prepared to answer questions and provide detailed information in response to questions from members of the Board.
-



Rules of Procedure

---

**Article V – Public Hearings**

---

*Section 5-1. Format for Public Hearings*

It is the purpose and objective of the Board of Supervisors to give each citizen an opportunity to express his/her views on the issue(s) at hand at public hearings and to give all speakers equal treatment and courtesy.

While it is often necessary to have a presentation by an applicant and staff, it is the desire of the Board to hear from the public, and therefore, the applicant and staff presentations will be as brief as possible.

In order to accomplish this objective it is necessary that certain rules of order prevail at all hearings of the Board of Supervisors as follows:

---

*Section 5-2. Order of Business*

At public hearings, the order of business will be as follows:

- (a) Identification of Issue and Verification of Notice
  - (b) Staff and/or Applicant Presentation
  - (c) Public Comment
  - (d) Board Member Questions
  - (e) Staff, Applicant or Public Response
  - (f) Close of Public Hearing
  - (g) Board discussion and/or consideration
- 

*Section 5-3. Identification of Issue and Verification of Required Notice*

The Chair shall call upon the appropriate County Staff member to verify that any required notice has been given and to read or summarize the notice for the benefit of those attending the public hearing.

---

*Section 5-4. Staff and/or applicant presentation*

The Chair will call upon the appropriate County staff and/or applicant to present such information as is necessary to explain the action requested of the Board of Supervisors.

Presentations will be brief, concise summaries for the Supervisor's and the public's information and understanding, provided that sufficient time will be allowed to present, properly and fairly, the subject matter.

When written information has been provided prior to the hearing, that information should be summarized and only new information should be presented in detail.

---

---

Rules of Procedure

---

*Section 5-5. Public  
Comment*

Any person desiring to address the Board of Supervisors at a Public Hearing conducted by the Board of Supervisors shall be required to abide by the rules governing such presentations as set forth in these rules in Article VI—Citizen Responsibilities.

Prior to permitting public comment, the Chair shall determine, to the best of his ability, the approximate number of persons desiring to comment at the public hearing and shall establish the manner in which speakers are recognized and the length of time each may speak.

Should the Chair determine that the likely number of persons desiring to speak is 10 or more in number, he may direct that individuals desiring to speak register with staff, providing their name and the district in which they reside. Should registration be required, the Chair shall verify that all such registration has been completed before beginning the hearing begins.

---

*Section 5-6. Order  
of Speaking*

Members of the public shall be permitted to speak as the Chair recognizes each, provided that no member of the public shall be recognized to speak a second time until all persons desiring to speak have had an opportunity to do so. In the event the number of persons desiring to speak necessitates a register, speakers shall be recognized in the order in which they have registered.

In the event the number of speakers results in the continuation of a public hearing, any persons registered but not heard at the initial Public Hearing will be the first given an opportunity to speak at the continued hearing.

---

*Section 5-7.  
Presentation of  
Comments*

Each person may address the Board as many times as the Chair, in his or her discretion, may allow, but no speaker shall exceed the total time limit set by the Chair regardless of the number of times recognized.

---

*Section 5-8.  
Supervisors'  
Questions*

Upon completion of a presentation by staff, applicant or member of the public, any Member of the Board may ask questions to enhance their understanding of the issue, verify information presented or clarify the action or actions requested.

Members of the Board shall not engage in debate with the person or persons making the presentation.

---

*Section 5-9. Close  
of Hearing*

When the Chair of the Board shall have closed a Public Hearing no further public comments shall be received.

At the close of the public hearing, the Board of Supervisors shall, at its discretion,

## Rules of Procedure

---

act or defer action upon the matter set for public hearing. In the event the Board defers action to a later date, the record shall be left open to receive written comments up until the time that a vote is taken.

---

Rules of Procedure

---

**Article VI—Citizen  
Responsibilities**

---

*Section 6-1.  
Application of Rules.*

Any person desiring to address the Board of Supervisors during any portion of a meeting designated for public comment shall be required to abide by the rules governing such presentations as hereafter set forth in these rules.

---

*Section 6-2.  
Addressing the Board.*

All persons speaking at a meeting of the Board during any portion of a meeting designated for public comment shall address their comments to the Board of Supervisors and shall limit their comments to the matter before the Board of Supervisors. Speakers shall not engage in debate with other speakers or members of the public.

Questions shall not be asked of other speakers, but may be directed to the Chair of the Board for consideration by the Board in later deliberating the matter.

---

*Section 6-3. Conduct  
while Speaking*

Persons speaking at a meeting of the Board of Supervisors shall do so in a courteous manner.

- Cursing or other obscene language or gestures; threats; insults; or other actions intended to harass, provoke or incite a fight, brawl, or other such disorderly response will not be permitted.
  - Any person whose conduct is contrary to this section will be removed as provided for in section 2-2. of these rules.
- 

*Section 6-4. Name  
and place of  
residence.*

Individuals addressing the Board during any portion of a meeting designated for public comment shall clearly state their name and place of residence prior to making any further comments. Should a person be recognized to speak more than once, they shall identify themselves each time before speaking.

---

*Section 6-5.  
Organizational  
Representation*

Any person speaking at any portion of a meeting designated for public comment, who represents himself as being an officer or representative of an organization, group, association, corporation, or other entity, shall, upon request of a member of the Board,

- (a) Disclose for the organization, group, association, corporation, or other entity,
  - (b) The history,
  - (c) Size,
-

Rules of Procedure

---

- (d) Dues,
- (e) Structure,
- (f) Date of creation,
- (g) Requirements for membership,
- (h) Tax status; and
- (i) Shall reveal the organizations method of determining its official position, and
- (j) The speaker's authority to represent the organization.

Unreasonable failure to provide this information to the satisfaction of the Board of Supervisors shall bar the speaker from speaking on behalf of the organization.

---

*Section 6-6. Order of Speaking*

Persons speaking during any portion of a meeting designated for public comment shall do so in the order in which they are recognized and called upon by the Chair.

---

*Section 6-7. Time Limits*

All persons speaking during any portion of a meeting designated for public comment shall observe all time limits established by the board and shall yield the floor when informed their time has expired.

---

*Section 6-8. Registration.*

Should registration of speakers be required, all persons desiring to speak shall sign the register, providing their name and place of residence.

---

*Section 6-9. Written copy of comments*

Speakers are requested, but not required, to leave written statements and/or comments with the Clerk or Deputy Clerk of the Board to be incorporated into the written record of the meeting.

---

*Section 6-10. Information sources*

No person who speaks or otherwise presents information during any portion of a meeting designated for public comment shall knowingly present false or untrue information to the Board of Supervisors, and shall, upon request of any Board Member, provide the source of any information presented.

---

Rules of Procedure

---

**Article VII—  
Appointments**

---

*Section 7-1.  
Appointments*

Subject to ratification of a majority of the members of the Board of Supervisors, the Chair shall appoint members of the Board to such authorities, boards, commissions, committees or other organizations or positions as the Board shall so authorize.

---

**Article VIII—  
Amendments**

---

*Section 8-1.  
Amendments*

These Rules of Procedure may, from time to time, be revised, repealed, or otherwise amended upon an affirmative vote by a majority of the members of the Board of Supervisors present and voting.

---

**Attachments**

- A. Closed Meetings Procedure
  - B. Citizen Comment Sign-in Sheet
-

## Rules of Procedure

### Attachment A – Closed Meetings Procedure

Closed Meetings can be held only for discussion of certain limited topics and can be entered only from a properly convened public meeting upon motion of a member of the Board of Supervisors. Most frequently, the Board of Supervisors convenes a closed session to discuss one of the following:

- Specific Employees or appointees of the Board - §2.2-3711-A1
- Acquisition or Sale of Property - §2.2-3711-A3
- Privacy of individuals in personal matters - §2.2-3711-A4
- Discussion of unannounced business location - §2.2-3711-A5
- Discussion of the investment of public funds where competition or bargaining is involved - §2.2-3711-A6
- Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. - §2.2-3711-A7
- Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body - §2.2-3711-A29

To convene a closed session, a member of the Board of Supervisors should:

*“Move to convene a closed session pursuant to Section (see section number above), of the Code of Virginia, as amended, to discuss (identify to extent possible).”*

To reconvene in public session after a closed session, the Board of Supervisors should readmit the public and only then a member of the Board should:

*“Move to reconvene in open session.” With the vote taken immediately thereafter.*

Next, a member of the Board should:

*“Move to certify that to the best of the member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under Chapter 2.2-3700, et sec, of the Code of Virginia, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Board.”*

A roll-call vote is required. Any member of the Board who believes that there was a departure from the requirements of the certifications in the above motion shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. That statement shall be recorded in the minutes of the Board.

Rules of Procedure

**Attachment B – Citizen Comment Period – Sign-In Sheet**

Citizen Comment Period - Sign-In Sheet

| Name<br>(Please Print) | Address | Topic |
|------------------------|---------|-------|
| 1.                     |         |       |
| 2.                     |         |       |
| 3.                     |         |       |
| 4.                     |         |       |
| 5.                     |         |       |
| 6.                     |         |       |
| 7.                     |         |       |
| 8.                     |         |       |
| 9.                     |         |       |
| 10.                    |         |       |
| 11.                    |         |       |
| 12.                    |         |       |
| 13.                    |         |       |
| 14.                    |         |       |
| 15.                    |         |       |
| 16.                    |         |       |
| 17.                    |         |       |
| 18.                    |         |       |

If you are representing an Organization: Rules of Procedure - Section 6-5. – Organizational Representation

Any person speaking at any portion of a meeting designated for public comment, who represents himself as being an officer or representative of an organization, group, association, corporation, or other entity, shall, upon request of a member of the Board, disclose for the organization, group, association, corporation, or other entity, the history, size, dues, structure, date of creation, requirements for membership, tax status; and shall reveal the organizations method of determining its official position and the speaker's authority to represent the organization. Unreasonable failure to provide this information to the satisfaction of the Board of Supervisors shall bar the speaker from speaking on behalf of the organization.

*End of document.*



## **2018 Board of Supervisors Assignments By Supervisor**

|   | <i>Position</i>           | <i>Appt Date</i> | <i>Exp Date</i> |
|---|---------------------------|------------------|-----------------|
| <b>David Ash</b>  |                           |                  |                 |
| BCCGC Joint Building Committee  | County Administrator      |                  |                 |
| Berryville/Clarke County Joint Committee for Economic Development and Tourism | BoS - Appointed Member    | 1/16/2018        | 12/31/2018      |
| Joint Administrative Services Board   | County Administrator      |                  |                 |
| Northwestern Regional Jail Authority  | BoS - Appointed Member    | 1/16/2018        | 12/31/2018      |
| Regional Airport Authority  | BoS - Alternate           | 1/16/2018        | 12/31/2018      |
| <b>Barbara J. Byrd</b>  |                           |                  |                 |
| Board of Supervisors Finance Committee  | BoS - Alternate           | 1/16/2018        | 12/31/2018      |
| Board of Supervisors Personnel Committee                                      | BoS - Alternate           | 1/16/2018        | 12/31/2018      |
| Clarke County Humane Foundation   | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| Clarke County Planning Commission   | BoS - Alternate           | 1/16/2018        | 12/31/2018      |
| Clarke County School Board  | BoS - Alternate           | 1/16/2018        | 12/31/2018      |
| Community Policy and Management Team  | BoS - Appointed Member    | 1/16/2018        | 12/31/2018      |
| Conservation Easement Authority   | BoS - Appointed Member    | 1/16/2018        | 12/31/2018      |
| Northwest Regional Adult Drug Treatment Court Advisory Committee              | BoS - Appointed Member    | 1/16/2018        | 12/31/2018      |
| Northwestern Regional Jail Authority  | BoS - Liaison - Alternate | 1/16/2018        | 12/31/2018      |
| Northwestern Regional Juvenile Detention Center Commission                    | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| Towns and Villages: Berryville  | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| <b>Terri T. Catlett</b>   |                           |                  |                 |
| Board of Supervisors Finance Committee  | BoS - Appointed Member    | 1/16/2018        | 12/31/2018      |
| Career and Technical Education Advisory Committee                             | BoS - Appointed Member    | 1/16/2018        | 12/31/2018      |
| Clarke County Historic Preservation Commission                                | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| Clarke County School Board  | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| Parks & Recreation Advisory Board   | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| Strategic Planning Committee  | BoS - Appointed Member    | 1/16/2018        | 12/31/2018      |

|                                | <i>Position</i>           | <i>Appt Date</i> | <i>Exp Date</i> |
|--------------------------------|---------------------------|------------------|-----------------|
| Towns and Villages: Boyce      | BoS - Liaison - Alternate | 1/16/2018        | 12/31/2018      |
| Towns and Villages: Millwood   | BoS - Liaison             | 1/16/2018        | 12/31/2018      |
| Towns and Villages: Pine Grove | BoS - Liaison             | 1/16/2018        | 12/31/2018      |

**Mary L.C. Daniel**

|  |                           |           |            |
|--|---------------------------|-----------|------------|
| Board of Septic & Well Appeals                 | BoS - Alternate           | 1/16/2018 | 12/31/2018 |
| Broadband Implementation Committee             | BoS - Appointed Member    | 1/16/2018 | 12/31/2018 |
| Clarke County Library Advisory Council         | BoS - Liaison             | 1/16/2018 | 12/31/2018 |
| Clarke County Planning Commission              | BoS - Appointed Member    | 1/16/2018 | 12/31/2018 |
| Clarke County Sheriff's Office                 | BoS - Liaison             | 1/16/2018 | 12/31/2018 |
| Josephine School Community Museum Board        | BoS - Liaison             | 1/16/2018 | 12/31/2018 |
| Legislative Liaison and High Growth Coalition  | BoS - Liaison             | 1/16/2018 | 12/31/2018 |
| Northern Shenandoah Valley Regional Commission | BoS - Alternate           | 1/16/2018 | 12/31/2018 |
| Towns and Villages: Berryville                 | BoS - Liaison - Alternate | 1/16/2018 | 12/31/2018 |

**Beverly B. McKay**

|   |                                   |           |            |
|---|-----------------------------------|-----------|------------|
| Agricultural & Forestal District Advisory Committee | BoS - Appointed Member            | 1/16/2018 | 12/31/2018 |
| BCCGC Joint Building Committee                      | BoS - Appointed Member            | 1/16/2018 | 12/31/2018 |
| Board of Septic & Well Appeals                      | BoS - Appointed Member Vice Chair | 1/16/2018 | 12/31/2018 |
| Board of Supervisors                                | Vice Chair                        | 1/16/2018 | 12/31/2018 |
| Board of Supervisors Finance Committee              | BoS - Alternate                   | 1/16/2018 | 12/31/2018 |
| Board of Supervisors Personnel Committee            | BoS - Appointed Member            | 1/16/2018 | 12/31/2018 |
| Broadband Implementation Committee                  | BoS - Appointed Member            | 1/16/2018 | 12/31/2018 |
| Building and Grounds                                | BoS - Appointed Member            | 1/16/2018 | 12/31/2018 |
| Clarke County Sanitary Authority                    | BoS - Liaison                     | 1/16/2018 | 12/31/2018 |
| Economic Development Advisory Committee             | BoS - Appointed Member            | 1/16/2018 | 12/31/2018 |
| Housing and Community Services Board                | BoS - Appointed Member            | 1/16/2018 | 12/31/2018 |
| Joint Administrative Services Board                 | BoS - Alternate                   | 1/16/2018 | 12/31/2018 |
| Northern Shenandoah Valley Regional Commission      | BoS - Appointed Member            | 1/16/2018 | 12/31/2018 |
| Regional Airport Authority                          | BoS - Alternate                   | 1/16/2018 | 12/31/2018 |

|                                | <i>Position</i> | <i>Appt Date</i> | <i>Exp Date</i> |
|--------------------------------|-----------------|------------------|-----------------|
| Towns and Villages: Boyce      | BoS - Liaison   | 1/16/2018        | 12/31/2018      |
| Towns and Villages: White Post | BoS - Liaison   | 1/16/2018        | 12/31/2018      |

**David S. Weiss**

|   |                        |           |            |
|---|------------------------|-----------|------------|
| Berryville/Clarke County Joint Committee for Economic Development and Tourism | BoS - Appointed Member | 1/16/2018 | 12/31/2018 |
| Board of Supervisors  | Chair                  | 1/16/2018 | 12/31/2018 |
| Board of Supervisors Finance Committee  | BoS - Appointed Member | 1/16/2018 | 12/31/2018 |
| Board of Supervisors Personnel Committee                                      | BoS - Appointed Member | 1/16/2018 | 12/31/2018 |
| Building and Grounds  | BoS - Alternate        | 1/16/2018 | 12/31/2018 |
| Emergency Services  | BoS - Chair            | 1/16/2018 | 12/31/2018 |
| Fire & EMS Commission   | BoS - Representative   | 1/16/2018 | 12/31/2018 |
| Industrial Development Authority of the Clarke County                         | BoS - Liaison          | 1/16/2018 | 12/31/2018 |
| Joint Administrative Services Board   | BoS - Appointed Member | 1/16/2018 | 12/31/2018 |
| Towns and Villages: Pine Grove  | BoS - Liaison          | 1/16/2018 | 12/31/2018 |

## Chapter 37. Virginia Freedom of Information Act.

### § 2.2-3700. Short title; policy.

A. This chapter may be cited as "The Virginia Freedom of Information Act."

B. By enacting this chapter, the General Assembly ensures the people of the Commonwealth ready access to public records in the custody of a public body or its officers and employees, and free entry to meetings of public bodies wherein the business of the people is being conducted. The affairs of government are not intended to be conducted in an atmosphere of secrecy since at all times the public is to be the beneficiary of any action taken at any level of government. Unless a public body or its officers or employees specifically elect to exercise an exemption provided by this chapter or any other statute, every meeting shall be open to the public and all public records shall be available for inspection and copying upon request. All public records and meetings shall be presumed open, unless an exemption is properly invoked.

The provisions of this chapter shall be liberally construed to promote an increased awareness by all persons of governmental activities and afford every opportunity to citizens to witness the operations of government. Any exemption from public access to records or meetings shall be narrowly construed and no record shall be withheld or meeting closed to the public unless specifically made exempt pursuant to this chapter or other specific provision of law. This chapter shall not be construed to discourage the free discussion by government officials or employees of public matters with the citizens of the Commonwealth.

All public bodies and their officers and employees shall make reasonable efforts to reach an agreement with a requester concerning the production of the records requested.

Any ordinance adopted by a local governing body that conflicts with the provisions of this chapter shall be void.

1968, c. 479, § 2.1-340; 1976, c. 467, § 2.1-340.1; 1989, c. 358; 1990, c. 538; 1999, cc. [703](#), [726](#); 2001, c. [844](#); 2002, c. [393](#).

### § 2.2-3701. Definitions.

As used in this chapter, unless the context requires a different meaning:

"Closed meeting" means a meeting from which the public is excluded.

"Electronic communication" means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

"Emergency" means an unforeseen circumstance rendering the notice required by this chapter impossible or impracticable and which circumstance requires immediate action.

"Information" as used in the exclusions established by §§ [2.2-3705.1](#) through [2.2-3705.7](#), means the content within a public record that references a specifically identified subject matter, and shall not be interpreted to require the production of information that is not embodied in a public record.

"Meeting" or "meetings" means the meetings including work sessions, when sitting physically, or through electronic communication means pursuant to § 2.2-3708.2, as a body or entity, or as an

informal assemblage of (i) as many as three members or (ii) a quorum, if less than three, of the constituent membership, wherever held, with or without minutes being taken, whether or not votes are cast, of any public body. Neither the gathering of employees of a public body nor the gathering or attendance of two or more members of a public body (a) at any place or function where no part of the purpose of such gathering or attendance is the discussion or transaction of any public business, and such gathering or attendance was not called or prearranged with any purpose of discussing or transacting any business of the public body, or (b) at a public forum, candidate appearance, or debate, the purpose of which is to inform the electorate and not to transact public business or to hold discussions relating to the transaction of public business, even though the performance of the members individually or collectively in the conduct of public business may be a topic of discussion or debate at such public meeting, shall be deemed a "meeting" subject to the provisions of this chapter.

"Open meeting" or "public meeting" means a meeting at which the public may be present.

"Public body" means any legislative body, authority, board, bureau, commission, district or agency of the Commonwealth or of any political subdivision of the Commonwealth, including cities, towns and counties, municipal councils, governing bodies of counties, school boards and planning commissions; governing boards of public institutions of higher education; and other organizations, corporations or agencies in the Commonwealth supported wholly or principally by public funds. It shall include (i) the Virginia Birth-Related Neurological Injury Compensation Program and its board of directors established pursuant to Chapter 50 (§ 38.2-5000 et seq.) of Title 38.2 and (ii) any committee, subcommittee, or other entity however designated, of the public body created to perform delegated functions of the public body or to advise the public body. It shall not exclude any such committee, subcommittee or entity because it has private sector or citizen members. Corporations organized by the Virginia Retirement System are "public bodies" for purposes of this chapter.

For the purposes of the provisions of this chapter applicable to access to public records, constitutional officers and private police departments as defined in § 9.1-101 shall be considered public bodies and, except as otherwise expressly provided by law, shall have the same obligations to disclose public records as other custodians of public records.

"Public records" means all writings and recordings that consist of letters, words or numbers, or their equivalent, set down by handwriting, typewriting, printing, photostating, photography, magnetic impulse, optical or magneto-optical form, mechanical or electronic recording or other form of data compilation, however stored, and regardless of physical form or characteristics, prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business.

"Regional public body" means a unit of government organized as provided by law within defined boundaries, as determined by the General Assembly, which unit includes two or more localities.

"Scholastic records" means those records containing information directly related to a student or an applicant for admission and maintained by a public body that is an educational agency or institution or by a person acting for such agency or institution.

1968, c. 479, § 2.1-341; 1970, c. 456; 1974, c. 332; 1975, c. 307; 1977, c. 677; 1978, cc. 573, 826; 1979, cc. 369, 687; 1980, c. 754; 1984, c. 252; 1989, c. 358; 1990, c. 538; 1993, cc. 270, 720; 1994, cc. 845, 931; 1996, c. 609; 1997, c. 641; 1999, cc. 703, 726; 2001, c. 844; 2002, c. 393; 2003, c. 897;

2007, c. 945;2008, cc. 233, 789;2010, c. 706;2011, c. 242;2015, cc. 131, 195, 224;2016, cc. 620, 716;2017, cc. 616, 778;2018, cc. 54, 55.

**§ 2.2-3702. Notice of chapter.**

Any person elected, reelected, appointed or reappointed to any body not excepted from this chapter shall (i) be furnished by the public body's administrator or legal counsel with a copy of this chapter within two weeks following election, reelection, appointment or reappointment and (ii) read and become familiar with the provisions of this chapter.

1976, c. 467, § 2.1-341.1; 1999, cc. 703, 726;2001, c. 844;2002, c. 393.

**§ 2.2-3703. Public bodies and records to which chapter inapplicable; voter registration and election records; access by persons incarcerated in a state, local, or federal correctional facility.**

A. The provisions of this chapter shall not apply to:

1. The Virginia Parole Board, except that (i) information from the Virginia Parole Board providing the number of inmates considered by the Board for discretionary parole, the number of inmates granted or denied parole, and the number of parolees returned to the custody of the Department of Corrections solely as a result of a determination by the Board of a violation of parole shall be open to inspection and available for release, on a monthly basis, as provided by § 2.2-3704;(ii) all guidance documents, as defined in § 2.2-4101, shall be public records and subject to the provisions of this chapter; and (iii) all records concerning the finances of the Virginia Parole Board shall be public records and subject to the provisions of this chapter. The information required by clause (i) shall be furnished by offense, sex, race, age of the inmate, and the locality in which the conviction was obtained, upon the request of the party seeking the information. The information required by clause (ii) shall include all documents establishing the policy of the Board or any change in or clarification of such policy with respect to grant, denial, deferral, revocation, or supervision of parole or geriatric release or the process for consideration thereof, and shall be clearly and conspicuously posted on the Board's website. However, such information shall not include any portion of any document reflecting the application of any policy or policy change or clarification of such policy to an individual inmate;

2. Petit juries and grand juries;

3. Family assessment and planning teams established pursuant to § 2.2-5207;

4. The Virginia State Crime Commission; and

5. The records maintained by the clerks of the courts of record, as defined in § 1-212, for which clerks are custodians under § 17.1-242, and courts not of record, as defined in § 16.1-69.5, for which clerks are custodians under § 16.1-69.54, including those transferred for storage, maintenance, or archiving. Such records shall be requested in accordance with the provisions of §§ 16.1-69.54:1 and 17.1-208, as appropriate. However, other records maintained by the clerks of such courts shall be public records and subject to the provisions of this chapter.

B. Public access to voter registration and election records shall be governed by the provisions of Title 24.2 and this chapter. The provisions of Title 24.2 shall be controlling in the event of any conflict.

C. No provision of this chapter or Chapter 21 (§ 30-178 et seq.) of Title 30 shall be construed to afford any rights to any person (i) incarcerated in a state, local or federal correctional facility,



whether or not such facility is (a) located in the Commonwealth or (b) operated pursuant to the Corrections Private Management Act (§ 53.1-261 et seq.) or (ii) civilly committed pursuant to the Sexually Violent Predators Act (§ 37.2-900 et seq.). However, this subsection shall not be construed to prevent such persons from exercising their constitutionally protected rights, including, but not limited to, their right to call for evidence in their favor in a criminal prosecution.

1999, cc. 703, 726, § 2.1-341.2; 2001, c. 844; 2003, cc. 989, 1018; 2004, cc. 398, 690; 2007, cc. 438, 548, 626; 2017, c. 620; 2018, cc. 127, 584.

**§ 2.2-3703.1. Disclosure pursuant to court order or subpoena.**

Nothing contained in this chapter shall have any bearing upon disclosures required to be made pursuant to any court order or subpoena. No discretionary exemption from mandatory disclosure shall be construed to make records covered by such discretionary exemption privileged under the rules of discovery, unless disclosure is otherwise prohibited by law.

2014, c. 319.

**§ 2.2-3704. Public records to be open to inspection; procedure for requesting records and responding to request; charges; transfer of records for storage, etc.**

A. Except as otherwise specifically provided by law, all public records shall be open to citizens of the Commonwealth, representatives of newspapers and magazines with circulation in the Commonwealth, and representatives of radio and television stations broadcasting in or into the Commonwealth during the regular office hours of the custodian of such records. Access to such records shall be provided by the custodian in accordance with this chapter by inspection or by providing copies of the requested records, at the option of the requester. The custodian may require the requester to provide his name and legal address. The custodian of such records shall take all necessary precautions for their preservation and safekeeping.

B. A request for public records shall identify the requested records with reasonable specificity. The request need not make reference to this chapter in order to invoke the provisions of this chapter or to impose the time limits for response by a public body. Any public body that is subject to this chapter and that is the custodian of the requested records shall promptly, but in all cases within five working days of receiving a request, provide the requested records to the requester or make one of the following responses in writing:

1. The requested records are being entirely withheld. Such response shall identify with reasonable particularity the volume and subject matter of withheld records, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding of the records.
2. The requested records are being provided in part and are being withheld in part. Such response shall identify with reasonable particularity the subject matter of withheld portions, and cite, as to each category of withheld records, the specific Code section that authorizes the withholding of the records.
3. The requested records could not be found or do not exist. However, if the public body that received the request knows that another public body has the requested records, the response shall include contact information for the other public body.
4. It is not practically possible to provide the requested records or to determine whether they are

available within the five-work-day period. Such response shall specify the conditions that make a response impossible. If the response is made within five working days, the public body shall have an additional seven work days in which to provide one of the four preceding responses.

C. Any public body may petition the appropriate court for additional time to respond to a request for records when the request is for an extraordinary volume of records or requires an extraordinarily lengthy search, and a response by the public body within the time required by this chapter will prevent the public body from meeting its operational responsibilities. Before proceeding with the petition, however, the public body shall make reasonable efforts to reach an agreement with the requester concerning the production of the records requested.

D. Subject to the provisions of subsection G, no public body shall be required to create a new record if the record does not already exist. However, a public body may abstract or summarize information under such terms and conditions as agreed between the requester and the public body.

E. Failure to respond to a request for records shall be deemed a denial of the request and shall constitute a violation of this chapter.

F. A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. The public body may also make a reasonable charge for the cost incurred in supplying records produced from a geographic information system at the request of anyone other than the owner of the land that is the subject of the request. However, such charges shall not exceed the actual cost to the public body in supplying such records, except that the public body may charge, on a pro rata per acre basis, for the cost of creating topographical maps developed by the public body, for such maps or portions thereof, which encompass a contiguous area greater than 50 acres. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen.

G. Public records maintained by a public body in an electronic data processing system, computer database, or any other structured collection of data shall be made available to a requester at a reasonable cost, not to exceed the actual cost in accordance with subsection F. When electronic or other databases are combined or contain exempt and nonexempt records, the public body may provide access to the exempt records if not otherwise prohibited by law, but shall provide access to the nonexempt records as provided by this chapter.

Public bodies shall produce nonexempt records maintained in an electronic database in any tangible medium identified by the requester, including, where the public body has the capability, the option of posting the records on a website or delivering the records through an electronic mail address provided by the requester, if that medium is used by the public body in the regular course of business. No public body shall be required to produce records from an electronic database in a format not regularly used by the public body. However, the public body shall make reasonable efforts to provide records in any format under such terms and conditions as agreed between the requester and public body, including the payment of reasonable costs. The excision of exempt fields of information from a database or the conversion of data from one available format to another shall not be deemed the creation, preparation, or compilation of a new public



record.

H. In any case where a public body determines in advance that charges for producing the requested records are likely to exceed \$200, the public body may, before continuing to process the request, require the requester to agree to payment of a deposit not to exceed the amount of the advance determination. The deposit shall be credited toward the final cost of supplying the requested records. The period within which the public body shall respond under this section shall be tolled for the amount of time that elapses between notice of the advance determination and the response of the requester.

I. Before processing a request for records, a public body may require the requester to pay any amounts owed to the public body for previous requests for records that remain unpaid 30 days or more after billing.

J. In the event a public body has transferred possession of public records to any entity, including but not limited to any other public body, for storage, maintenance, or archiving, the public body initiating the transfer of such records shall remain the custodian of such records for purposes of responding to requests for public records made pursuant to this chapter and shall be responsible for retrieving and supplying such public records to the requester. In the event a public body has transferred public records for storage, maintenance, or archiving and such transferring public body is no longer in existence, any public body that is a successor to the transferring public body shall be deemed the custodian of such records. In the event no successor entity exists, the entity in possession of the public records shall be deemed the custodian of the records for purposes of compliance with this chapter, and shall retrieve and supply such records to the requester.

Nothing in this subsection shall be construed to apply to records transferred to the Library of Virginia for permanent archiving pursuant to the duties imposed by the Virginia Public Records Act (§ 42.1-76 et seq.). In accordance with § 42.1-79, the Library of Virginia shall be the custodian of such permanently archived records and shall be responsible for responding to requests for such records made pursuant to this chapter.

1968, c. 479, § 2.1-342; 1973, c. 461; 1974, c. 332; 1975, cc. 307, 312; 1976, cc. 640, 709; 1977, c. 677; 1978, c. 810; 1979, cc. 682, 684, 686, 689; 1980, cc. 678, 754; 1981, cc. 456, 464, 466, 589; 1982, cc. 225, 449, 452, 560, 635; 1983, cc. 372, 462, 607; 1984, cc. 85, 395, 433, 513, 532; 1985, cc. 81, 155, 502, 618; 1986, cc. 273, 291, 383, 469, 592; 1987, cc. 401, 491, 581; 1988, cc. 39, 151, 395, 411, 891, 902; 1989, cc. 56, 358, 478; 1990, cc. 217, 538, 721, 819, 968; 1991, cc. 213, 561; 1992, cc. 40, 150, 167, 200, 203, 207, 593, 612; 1993, cc. 205, 270, 296, 537, 552, 638, 750, 883; 1994, cc. 485, 532, 606, 839, 853, 918; 1995, cc. 299, 362, 499, 562, 638, 722, 812, 837; 1996, cc. 168, 469, 589, 599, 783, 786, 794, 855, 862, 902, 905, 1001, 1046; 1997, cc. 198, 295, 439, 567, 636, 641, 777, 782, 785, 838, 861; 1998, cc. 427, 891; 1999, cc. 438, 703, 726; 2001, c. 844; 2002, cc. 715, 830; 2003, cc. 275, 981, 1021; 2007, c. 439; 2009, c. 626; 2010, c. 627; 2011, c. 604; 2016, cc. 620, 716; 2017, c. 778.

**§ 2.2-3704.01. Records containing both excluded and nonexcluded information; duty to redact.**

No provision of this chapter is intended, nor shall it be construed or applied, to authorize a public body to withhold a public record in its entirety on the grounds that some portion of the public record is excluded from disclosure by this chapter or by any other provision of law. A public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure under this chapter or other provision of law applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject

to an exclusion under this chapter or other provision of law may be withheld, and all portions of the public record that are not so excluded shall be disclosed.

2016, cc. [620](#), [716](#).

**§ 2.2-3704.1. Posting of notice of rights and responsibilities by state and local public bodies; assistance by the Freedom of Information Advisory Council.**

A. All state public bodies subject to the provisions of this chapter, any county or city, any town with a population of more than 250, and any school board shall make available the following information to the public upon request and shall post a link to such information on the homepage of their respective official public government websites:

1. A plain English explanation of the rights of a requester under this chapter, the procedures to obtain public records from the public body, and the responsibilities of the public body in complying with this chapter. For purposes of this section, "plain English" means written in nontechnical, readily understandable language using words of common everyday usage and avoiding legal terms and phrases or other terms and words of art whose usage or special meaning primarily is limited to a particular field or profession;
2. Contact information for the FOIA officer designated by the public body pursuant to § [2.2-3704.2](#) to (i) assist a requester in making a request for records or (ii) respond to requests for public records;
3. A general description, summary, list, or index of the types of public records maintained by such public body;
4. A general description, summary, list, or index of any exemptions in law that permit or require such public records to be withheld from release;
5. Any policy the public body has concerning the type of public records it routinely withholds from release as permitted by this chapter or other law; and
6. The following statement: "A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen as set forth in subsection F of § [2.2-3704](#) of the Code of Virginia."

B. Any state public body subject to the provisions of this chapter and any county or city, and any town with a population of more than 250, shall post a link on its official public government website to the online public comment form on the Freedom of Information Advisory Council's website to enable any requester to comment on the quality of assistance provided to the requester by the public body.

C. The Freedom of Information Advisory Council, created pursuant to § [30-178](#), shall assist in the development and implementation of the provisions of subsection A, upon request.

2004, c. [730](#);2009, c. [626](#);2014, c. [421](#);2016, c. [748](#);2017, cc. [645](#), [778](#).

**§ 2.2-3704.2. Public bodies to designate FOIA officer.**

A. All state public bodies, including state authorities, that are subject to the provisions of this chapter and all local public bodies that are subject to the provisions of this chapter, shall designate and publicly identify one or more Freedom of Information Act officers (FOIA officer) whose responsibility is to serve as a point of contact for members of the public in requesting public records and to coordinate the public body's compliance with the provisions of this chapter.

B. For such state public bodies, the name and contact information of the public body's FOIA officer to whom members of the public may direct requests for public records and who will oversee the public body's compliance with the provisions of this chapter shall be made available to the public upon request and be posted on the respective public body's official public government website at the time of designation and maintained thereafter on such website for the duration of the designation.

C. For such local public bodies, the name and contact information of the public body's FOIA officer to whom members of the public may direct requests for public records and who will oversee the public body's compliance with the provisions of this chapter shall be made available in a way reasonably calculated to provide notice to the public, including posting at the public body's place of business, posting on its official public government website, or including such information in its publications.

D. For the purposes of this section, local public bodies shall include constitutional officers.

E. Any such FOIA officer shall possess specific knowledge of the provisions of this chapter and be trained at least annually by legal counsel for the public body or the Virginia Freedom of Information Advisory Council (the Council) or through an online course offered by the Council. Any such training shall document that the training required by this subsection has been fulfilled.

F. The name and contact information of a FOIA officer trained by legal counsel of a public body shall be (i) submitted to the Council by July 1 of each year on a form developed by the Council for that purpose and (ii) updated in a timely manner in the event of any changes to such information.

G. The Council shall maintain on its website a listing of all FOIA officers, including name, contact information, and the name of the public body such FOIA officers serve.

2016, c. [748](#);2017, cc. [290](#), [778](#).

### **§ 2.2-3705. Repealed.**

Repealed by Acts 2004, c. [690](#).

### **§ 2.2-3705.1. Exclusions to application of chapter; exclusions of general application to public bodies.**

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § [2.2-3704.01](#).

1. Personnel information concerning identifiable individuals, except that access shall not be denied to the person who is the subject thereof. Any person who is the subject of such information and who is 18 years of age or older may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, such information shall be disclosed. Nothing in

this subdivision shall be construed to authorize the withholding of any resumes or applications submitted by persons who are appointed by the Governor pursuant to § 2.2-106 or 2.2-107.

No provision of this chapter or any provision of Chapter 38 (§ 2.2-3800 et seq.) shall be construed as denying public access to (i) contracts between a public body and its officers or employees, other than contracts settling public employee employment disputes held confidential as personnel records under § 2.2-3705.1;(ii) records of the name, position, job classification, official salary, or rate of pay of, and records of the allowances or reimbursements for expenses paid to, any officer, official, or employee of a public body; or (iii) the compensation or benefits paid by any corporation organized by the Virginia Retirement System or its officers or employees. The provisions of this subdivision, however, shall not require public access to records of the official salaries or rates of pay of public employees whose annual rate of pay is \$10,000 or less.

2. Written advice of legal counsel to state, regional or local public bodies or the officers or employees of such public bodies, and any other information protected by the attorney-client privilege.

3. Legal memoranda and other work product compiled specifically for use in litigation or for use in an active administrative investigation concerning a matter that is properly the subject of a closed meeting under § 2.2-3711.

4. Any test or examination used, administered or prepared by any public body for purposes of evaluation of (i) any student or any student's performance, (ii) any employee or employment seeker's qualifications or aptitude for employment, retention, or promotion, or (iii) qualifications for any license or certificate issued by a public body.

As used in this subdivision, "test or examination" shall include (a) any scoring key for any such test or examination and (b) any other document that would jeopardize the security of the test or examination. Nothing contained in this subdivision shall prohibit the release of test scores or results as provided by law, or limit access to individual records as provided by law. However, the subject of such employment tests shall be entitled to review and inspect all records relative to his performance on such employment tests.

When, in the reasonable opinion of such public body, any such test or examination no longer has any potential for future use, and the security of future tests or examinations will not be jeopardized, the test or examination shall be made available to the public. However, minimum competency tests administered to public school children shall be made available to the public contemporaneously with statewide release of the scores of those taking such tests, but in no event shall such tests be made available to the public later than six months after the administration of such tests.

5. Records recorded in or compiled exclusively for use in closed meetings lawfully held pursuant to § 2.2-3711. However, no record that is otherwise open to inspection under this chapter shall be deemed exempt by virtue of the fact that it has been reviewed or discussed in a closed meeting.

6. Vendor proprietary information software that may be in the public records of a public body. For the purpose of this subdivision, "vendor proprietary information software" means computer programs acquired from a vendor for purposes of processing data for agencies or political subdivisions of the Commonwealth.

7. Computer software developed by or for a state agency, public institution of higher education in

the Commonwealth, or political subdivision of the Commonwealth.

8. Appraisals and cost estimates of real property subject to a proposed purchase, sale, or lease, prior to the completion of such purchase, sale, or lease.

9. Information concerning reserves established in specific claims administered by the Department of the Treasury through its Division of Risk Management as provided in Article 5 (§ 2.2-1832 et seq.) of Chapter 18, or by any county, city, or town; and investigative notes, correspondence and information furnished in confidence with respect to an investigation of a claim or a potential claim against a public body's insurance policy or self-insurance plan. However, nothing in this subdivision shall prevent the disclosure of information taken from inactive reports upon expiration of the period of limitations for the filing of a civil suit.

10. Personal contact information furnished to a public body for the purpose of receiving electronic mail from the public body, provided that the electronic mail recipient has requested that the public body not disclose such information. However, access shall not be denied to the person who is the subject of the record. As used in this subdivision, "personal contact information" means the information provided to the public body for the purpose of receiving electronic mail from the public body and includes home or business (i) address, (ii) email address, or (iii) telephone number or comparable number assigned to any other electronic communication device.

11. Communications and materials required to be kept confidential pursuant to § 2.2-4119 of the Virginia Administrative Dispute Resolution Act (§ 2.2-4115 et seq.).

12. Information relating to the negotiation and award of a specific contract where competition or bargaining is involved and where the release of such information would adversely affect the bargaining position or negotiating strategy of the public body. Such information shall not be withheld after the public body has made a decision to award or not to award the contract. In the case of procurement transactions conducted pursuant to the Virginia Public Procurement Act (§ 2.2-4300 et seq.), the provisions of this subdivision shall not apply, and any release of information relating to such transactions shall be governed by the Virginia Public Procurement Act.

13. Account numbers or routing information for any credit card, debit card, or other account with a financial institution of any person or public body. However, access shall not be denied to the person who is the subject of the information. For the purposes of this subdivision, "financial institution" means any organization authorized to do business under state or federal laws relating to financial institutions, including, without limitation, banks and trust companies, savings banks, savings and loan companies or associations, and credit unions.

1999, cc. 485, 518, 703, 726, 793, 849, 852, 867, 868, 881, § 2.1-342.01; 2000, cc. 66, 237, 382, 400, 430, 583, 589, 592, 594, 618, 632, 657, 720, 932, 933, 947, 1006, 1064; 2001, cc. 288, 518, 844, § 2.2-3705; 2002, cc. 87, 155, 242, 393, 478, 481, 499, 522, 571, 572, 633, 655, 715, 798, 830; 2003, cc. 274, 307, 327, 332, 358, 704, 801, 884, 891, 893, 897, 968; 2004, c. 690; 2010, c. 553; 2016, cc. 620, 716, 729; 2017, cc. 140, 778.

#### **§ 2.2-3705.2. Exclusions to application of chapter; records relating to public safety.**

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this



section from a public record shall be conducted in accordance with § [2.2-3704.01](#).

1. Confidential information, including victim identity, provided to or obtained by staff in a rape crisis center or a program for battered spouses.
2. Information that describes the design, function, operation, or access control features of any security system, whether manual or automated, which is used to control access to or use of any automated data processing or telecommunications system.
3. Information that would disclose the security aspects of a system safety program plan adopted pursuant to Federal Transit Administration regulations by the Commonwealth's designated Rail Fixed Guideway Systems Safety Oversight agency; and information in the possession of such agency, the release of which would jeopardize the success of an ongoing investigation of a rail accident or other incident threatening railway safety.
4. Information concerning security plans and specific assessment components of school safety audits, as provided in § [22.1-279.8](#).

Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the effectiveness of security plans after (i) any school building or property has been subjected to fire, explosion, natural disaster, or other catastrophic event or (ii) any person on school property has suffered or been threatened with any personal injury.

5. Information concerning the mental health assessment of an individual subject to commitment as a sexually violent predator under Chapter 9 (§ [37.2-900](#) et seq.) of Title 37.2 held by the Commitment Review Committee; except that in no case shall information identifying the victims of a sexually violent predator be disclosed.

6. Subscriber data provided directly or indirectly by a communications services provider to a public body that operates a 911 or E-911 emergency dispatch system or an emergency notification or reverse 911 system if the data is in a form not made available by the communications services provider to the public generally. Nothing in this subdivision shall prevent the disclosure of subscriber data generated in connection with specific calls to a 911 emergency system, where the requester is seeking to obtain public records about the use of the system in response to a specific crime, emergency or other event as to which a citizen has initiated a 911 call.

For the purposes of this subdivision:

"Communications services provider" means the same as that term is defined in § [58.1-647](#).

"Subscriber data" means the name, address, telephone number, and any other information identifying a subscriber of a communications services provider.

7. Subscriber data collected by a local governing body in accordance with the Enhanced Public Safety Telephone Services Act (§ [56-484.12](#) et seq.) and other identifying information of a personal, medical, or financial nature provided to a local governing body in connection with a 911 or E-911 emergency dispatch system or an emergency notification or reverse 911 system if such records are not otherwise publicly available.

Nothing in this subdivision shall prevent the disclosure of subscriber data generated in connection with specific calls to a 911 emergency system, where the requester is seeking to

obtain public records about the use of the system in response to a specific crime, emergency or other event as to which a citizen has initiated a 911 call.

For the purposes of this subdivision:

"Communications services provider" means the same as that term is defined in § 58.1-647.

"Subscriber data" means the name, address, telephone number, and any other information identifying a subscriber of a communications services provider.

8. Information held by the Virginia Military Advisory Council or any commission created by executive order for the purpose of studying and making recommendations regarding preventing closure or realignment of federal military and national security installations and facilities located in Virginia and relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a local governing body, that would (i) reveal strategies under consideration or development by the Council or such commission or organizations to prevent the closure or realignment of federal military installations located in Virginia or the relocation of national security facilities located in Virginia, to limit the adverse economic effect of such realignment, closure, or relocation, or to seek additional tenant activity growth from the Department of Defense or federal government or (ii) disclose trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), provided to the Council or such commission or organizations in connection with their work.

In order to invoke the trade secret protection provided by clause (ii), the submitting entity shall, in writing and at the time of submission (a) invoke this exclusion, (b) identify with specificity the information for which such protection is sought, and (c) state the reason why such protection is necessary. Nothing in this subdivision shall be construed to prevent the disclosure of all or part of any record, other than a trade secret that has been specifically identified as required by this subdivision, after the Department of Defense or federal agency has issued a final, unappealable decision, or in the event of litigation, a court of competent jurisdiction has entered a final, unappealable order concerning the closure, realignment, or expansion of the military installation or tenant activities, or the relocation of the national security facility, for which records are sought.

9. Information, as determined by the State Comptroller, that describes the design, function, operation, or implementation of internal controls over the Commonwealth's financial processes and systems, and the assessment of risks and vulnerabilities of those controls, including the annual assessment of internal controls mandated by the State Comptroller, if disclosure of such information would jeopardize the security of the Commonwealth's financial assets. However, records relating to the investigation of and findings concerning the soundness of any fiscal process shall be disclosed in a form that does not compromise internal controls. Nothing in this subdivision shall be construed to prohibit the Auditor of Public Accounts or the Joint Legislative Audit and Review Commission from reporting internal control deficiencies discovered during the course of an audit.

10. Information relating to the Statewide Agencies Radio System (STARS) or any other similar local or regional public safety communications system that (i) describes the design, function, programming, operation, or access control features of the overall system, components, structures, individual networks, and subsystems of the STARS or any other similar local or regional communications system or (ii) relates to radio frequencies assigned to or utilized by

STARS or any other similar local or regional communications system, code plugs, circuit routing, addressing schemes, talk groups, fleet maps, encryption, or programming maintained by or utilized by STARS or any other similar local or regional public safety communications system.

11. Information concerning a salaried or volunteer Fire/EMS company or Fire/EMS department if disclosure of such information would reveal the telephone numbers for cellular telephones, pagers, or comparable portable communication devices provided to its personnel for use in the performance of their official duties.

12. Information concerning the disaster recovery plans or the evacuation plans in the event of fire, explosion, natural disaster, or other catastrophic event for hospitals and nursing homes regulated by the Board of Health pursuant to Chapter 5 (§ 32.1-123 et seq.) of Title 32.1 provided to the Department of Health. Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the effectiveness of executed evacuation plans after the occurrence of fire, explosion, natural disaster, or other catastrophic event.

13. Records received by the Department of Criminal Justice Services pursuant to §§ 9.1-184, 22.1-79.4, and 22.1-279.8 or for purposes of evaluating threat assessment teams established by a public institution of higher education pursuant to § 23.1-805 or by a private nonprofit institution of higher education, to the extent such records reveal security plans, walk-through checklists, or vulnerability and threat assessment components.

14. Information contained in (i) engineering, architectural, or construction drawings; (ii) operational, procedural, tactical planning, or training manuals; (iii) staff meeting minutes; or (iv) other records that reveal any of the following, the disclosure of which would jeopardize the safety or security of any person; governmental facility, building, or structure or persons using such facility, building, or structure; or public or private commercial office, multifamily residential, or retail building or its occupants:

a. Critical infrastructure information or the location or operation of security equipment and systems of any public building, structure, or information storage facility, including ventilation systems, fire protection equipment, mandatory building emergency equipment or systems, elevators, electrical systems, telecommunications equipment and systems, or utility equipment and systems;

b. Vulnerability assessments, information not lawfully available to the public regarding specific cybersecurity threats or vulnerabilities, or security plans and measures of an entity, facility, building structure, information technology system, or software program;

c. Surveillance techniques, personnel deployments, alarm or security systems or technologies, or operational or transportation plans or protocols; or

d. Interconnectivity, network monitoring, network operation centers, master sites, or systems related to the Statewide Agencies Radio System (STARS) or any other similar local or regional public safety communications system.

The same categories of records of any person or entity submitted to a public body for the purpose of antiterrorism response planning or cybersecurity planning or protection may be withheld from disclosure if such person or entity in writing (a) invokes the protections of this subdivision, (b) identifies with specificity the records or portions thereof for which protection is sought, and (c) states with reasonable particularity why the protection of such records from public disclosure is



necessary to meet the objective of antiterrorism, cybersecurity planning or protection, or critical infrastructure information security and resilience. Such statement shall be a public record and shall be disclosed upon request.

Any public body receiving a request for records excluded under clauses (a) and (b) of this subdivision 14 shall notify the Secretary of Public Safety and Homeland Security or his designee of such request and the response made by the public body in accordance with § 2.2-3704.

Nothing in this subdivision 14 shall prevent the disclosure of records relating to (1) the structural or environmental soundness of any such facility, building, or structure or (2) an inquiry into the performance of such facility, building, or structure after it has been subjected to fire, explosion, natural disaster, or other catastrophic event.

As used in this subdivision, "critical infrastructure information" means the same as that term is defined in 6 U.S.C. § 131.

15. Information held by the Virginia Commercial Space Flight Authority that is categorized as classified or sensitive but unclassified, including national security, defense, and foreign policy information, provided that such information is exempt under the federal Freedom of Information Act, 5 U.S.C. § 552.

1999, cc. [485](#), [518](#), [703](#), [726](#), [793](#), [849](#), [852](#), [867](#), [868](#), [881](#), § 2.1-342.01; 2000, cc. [66](#), [237](#), [382](#), [400](#), [430](#), [583](#), [589](#), [592](#), [594](#), [618](#), [632](#), [657](#), [720](#), [932](#), [933](#), [947](#), [1006](#), [1064](#); 2001, cc. [288](#), [518](#), [844](#), § 2.2-3705; 2002, cc. [87](#), [155](#), [242](#), [393](#), [478](#), [481](#), [499](#), [522](#), [571](#), [572](#), [633](#), [655](#), [715](#), [798](#), [830](#); 2003, cc. [274](#), [307](#), [327](#), [332](#), [358](#), [704](#), [801](#), [884](#), [891](#), [893](#), [897](#), [968](#); 2004, cc. [398](#), [482](#), [690](#), [770](#); 2005, c. [410](#); 2008, c. [721](#); 2009, c. [418](#); 2010, c. [672](#); 2011, cc. [111](#), [536](#); 2012, cc. [617](#), [803](#), [835](#); 2013, c. [600](#); 2015, c. [183](#); 2016, cc. [554](#), [620](#), [716](#), [717](#); 2017, c. [778](#); 2018, cc. [52](#), [741](#).

### **§ 2.2-3705.3. Exclusions to application of chapter; records relating to administrative investigations.**

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. Information relating to investigations of applicants for licenses and permits, and of all licensees and permittees, made by or submitted to the Virginia Alcoholic Beverage Control Authority, the Virginia Lottery, the Virginia Racing Commission, the Department of Agriculture and Consumer Services relating to investigations and applications pursuant to Article 1.1:1 (§ [18.2-340.15](#) et seq.) of Chapter 8 of Title 18.2, or the Private Security Services Unit of the Department of Criminal Justice Services.
2. Records of active investigations being conducted by the Department of Health Professions or by any health regulatory board in the Commonwealth pursuant to § [54.1-108](#).
3. Investigator notes, and other correspondence and information, furnished in confidence with respect to an active investigation of individual employment discrimination complaints made to the Department of Human Resource Management, to such personnel of any local public body, including local school boards, as are responsible for conducting such investigations in confidence, or to any public institution of higher education. However, nothing in this subdivision shall prevent the disclosure of information taken from inactive reports in a form that does not

reveal the identity of charging parties, persons supplying the information, or other individuals involved in the investigation.

4. Records of active investigations being conducted by the Department of Medical Assistance Services pursuant to Chapter 10 (§ 32.1-323 et seq.) of Title 32.1.

5. Investigative notes and other correspondence and information furnished in confidence with respect to an investigation or conciliation process involving an alleged unlawful discriminatory practice under the Virginia Human Rights Act (§ 2.2-3900 et seq.) or under any local ordinance adopted in accordance with the authority specified in § 2.2-524, or adopted pursuant to § 15.2-965, or adopted prior to July 1, 1987, in accordance with applicable law, relating to local human rights or human relations commissions. However, nothing in this subdivision shall prevent the distribution of information taken from inactive reports in a form that does not reveal the identity of the parties involved or other persons supplying information.

6. Information relating to studies and investigations by the Virginia Lottery of (i) lottery agents, (ii) lottery vendors, (iii) lottery crimes under §§ 58.1-4014 through 58.1-4018, (iv) defects in the law or regulations that cause abuses in the administration and operation of the lottery and any evasions of such provisions, or (v) the use of the lottery as a subterfuge for organized crime and illegal gambling where such information has not been publicly released, published or copyrighted. All studies and investigations referred to under clauses (iii), (iv), and (v) shall be open to inspection and copying upon completion of the study or investigation.

7. Investigative notes, correspondence and information furnished in confidence, and records otherwise exempted by this chapter or any Virginia statute, provided to or produced by or for (i) the Auditor of Public Accounts; (ii) the Joint Legislative Audit and Review Commission; (iii) an appropriate authority as defined in § 2.2-3010 with respect to an allegation of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act (§ 2.2-3009 et seq.); (iv) the Office of the State Inspector General with respect to an investigation initiated through the Fraud, Waste and Abuse Hotline or an investigation initiated pursuant to Chapter 3.2 (§ 2.2-307 et seq.); (v) internal auditors appointed by the head of a state agency or by any public institution of higher education; (vi) the committee or the auditor with respect to an investigation or audit conducted pursuant to § 15.2-825; or (vii) the auditors, appointed by the local governing body of any county, city, or town or a school board, who by charter, ordinance, or statute have responsibility for conducting an investigation of any officer, department, or program of such body. Information contained in completed investigations shall be disclosed in a form that does not reveal the identity of the complainants or persons supplying information to investigators. Unless disclosure is excluded by this subdivision, the information disclosed shall include the agency involved, the identity of the person who is the subject of the complaint, the nature of the complaint, and the actions taken to resolve the complaint. If an investigation does not lead to corrective action, the identity of the person who is the subject of the complaint may be released only with the consent of the subject person. Local governing bodies shall adopt guidelines to govern the disclosure required by this subdivision.

8. The names, addresses, and telephone numbers of complainants furnished in confidence with respect to an investigation of individual zoning enforcement complaints or complaints relating to the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.) made to a local governing body.

9. Records of active investigations being conducted by the Department of Criminal Justice

Services pursuant to Article 4 (§ 9.1-138 et seq.), Article 4.1 (§ 9.1-150.1 et seq.), Article 11 (§ 9.1-185 et seq.), and Article 12 (§ 9.1-186 et seq.) of Chapter 1 of Title 9.1.

10. Information furnished to or prepared by the Board of Education pursuant to subsection D of § 22.1-253.13:3 in connection with the review or investigation of any alleged breach in security, unauthorized alteration, or improper administration of tests by local school board employees responsible for the distribution or administration of the tests. However, this section shall not prohibit the disclosure of such information to (i) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of a review or investigation, in a form that (a) does not reveal the identity of any person making a complaint or supplying information to the Board on a confidential basis and (b) does not compromise the security of any test mandated by the Board.

11. Information contained in (i) an application for licensure or renewal of a license for teachers and other school personnel, including transcripts or other documents submitted in support of an application, and (ii) an active investigation conducted by or for the Board of Education related to the denial, suspension, cancellation, revocation, or reinstatement of teacher and other school personnel licenses including investigator notes and other correspondence and information, furnished in confidence with respect to such investigation. However, this subdivision shall not prohibit the disclosure of such (a) application information to the applicant at his own expense or (b) investigation information to a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee. Information contained in completed investigations shall be disclosed in a form that does not reveal the identity of any complainant or person supplying information to investigators. The completed investigation information disclosed shall include information regarding the school or facility involved, the identity of the person who was the subject of the complaint, the nature of the complaint, and the actions taken to resolve the complaint. If an investigation fails to support a complaint or does not lead to corrective action, the identity of the person who was the subject of the complaint may be released only with the consent of the subject person. No personally identifiable information regarding a current or former student shall be released except as permitted by state or federal law.

12. Information provided in confidence and related to an investigation by the Attorney General under Article 1 (§ 3.2-4200 et seq.) or Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2, Article 10 (§ 18.2-246.6 et seq.) of Chapter 6 or Chapter 13 (§ 18.2-512 et seq.) of Title 18.2, or Article 1 (§ 58.1-1000) of Chapter 10 of Title 58.1. However, information related to an investigation that has been inactive for more than six months shall, upon request, be disclosed provided such disclosure is not otherwise prohibited by law and does not reveal the identity of charging parties, complainants, persons supplying information, witnesses, or other individuals involved in the investigation.

1999, cc. 485, 518, 703, 726, 793, 849, 852, 867, 868, 881, § 2.1-342.01; 2000, cc. 66, 237, 382, 400, 430, 583, 589, 592, 594, 618, 632, 657, 720, 932, 933, 947, 1006, 1064; 2001, cc. 288, 518, 844, § 2.2-3705; 2002, cc. 87, 155, 242, 393, 478, 481, 499, 522, 571, 572, 633, 655, 715, 798, 830; 2003, cc. 274, 307, 327, 332, 358, 704, 801, 884, 891, 893, 897, 968; 2004, cc. 605, 690, 766; 2005, c. 601; 2006, cc. 25, 95; 2008, cc. 387, 668, 689, 758; 2009, cc. 237, 326, 340; 2011, cc. 798, 871; 2012, cc. 476, 507, 803, 835; 2013, cc. 571, 572, 690, 717, 723; 2014, cc. 225, 414, 609, 788; 2015, cc. 38, 730; 2016, cc. 272, 620, 716; 2017, c. 778.

**§ 2.2-3705.4. Exclusions to application of chapter; educational records and certain records of educational institutions.**

A. The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except as provided in subsection B or where such disclosure is otherwise prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. Scholastic records containing information concerning identifiable individuals, except that such access shall not be denied to the person who is the subject thereof, or the parent or legal guardian of the student. However, no student shall have access to (i) financial records of a parent or guardian or (ii) records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto, that are in the sole possession of the maker thereof and that are not accessible or revealed to any other person except a substitute.

The parent or legal guardian of a student may prohibit, by written request, the release of any individual information regarding that student until the student reaches the age of 18 years. For scholastic records of students under the age of 18 years, the right of access may be asserted only by his legal guardian or parent, including a noncustodial parent, unless such parent's parental rights have been terminated or a court of competent jurisdiction has restricted or denied such access. For scholastic records of students who are emancipated or attending a public institution of higher education in the Commonwealth, the right of access may be asserted by the student.

Any person who is the subject of any scholastic record and who is 18 years of age or older may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, such records shall be disclosed.

2. Confidential letters and statements of recommendation placed in the records of educational agencies or institutions respecting (i) admission to any educational agency or institution, (ii) an application for employment or promotion, or (iii) receipt of an honor or honorary recognition.

3. Information held by the Brown v. Board of Education Scholarship Committee that would reveal personally identifiable information, including scholarship applications, personal financial information, and confidential correspondence and letters of recommendation.

4. Information of a proprietary nature produced or collected by or for faculty or staff of public institutions of higher education, other than the institutions' financial or administrative records, in the conduct of or as a result of study or research on medical, scientific, technical or scholarly issues, whether sponsored by the institution alone or in conjunction with a governmental body or a private concern, where such information has not been publicly released, published, copyrighted or patented.

5. Information held by the University of Virginia or the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, that contain proprietary, business-related information pertaining to the operations of the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, including business development or marketing strategies and activities with existing or future joint venturers, partners, or other parties with whom the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, has formed, or forms, any arrangement for the delivery of health care, if disclosure of such information would be harmful to the competitive position of the University of Virginia

Medical Center or Eastern Virginia Medical School, as the case may be.

6. Personal information, as defined in § 2.2-3801, provided to the Board of the Virginia College Savings Plan or its employees by or on behalf of individuals who have requested information about, applied for, or entered into prepaid tuition contracts or savings trust account agreements pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1, including personal information related to (i) qualified beneficiaries as that term is defined in § 23.1-700, (ii) designated survivors, or (iii) authorized individuals. Nothing in this subdivision shall be construed to prevent disclosure or publication of information in a statistical or other form that does not identify individuals or provide personal information. Individuals shall be provided access to their own personal information.

For purposes of this subdivision:

"Authorized individual" means an individual who may be named by the account owner to receive information regarding the account but who does not have any control or authority over the account.

"Designated survivor" means the person who will assume account ownership in the event of the account owner's death.

7. Information maintained in connection with fundraising activities by or for a public institution of higher education that would reveal (i) personal fundraising strategies relating to identifiable donors or prospective donors or (ii) wealth assessments; estate, financial, or tax planning information; health-related information; employment, familial, or marital status information; electronic mail addresses, facsimile or telephone numbers; birth dates or social security numbers of identifiable donors or prospective donors. Nothing in this subdivision, however, shall be construed to prevent the disclosure of information relating to the amount, date, purpose, and terms of the pledge or donation, or the identity of the donor unless the donor has requested anonymity in connection with or as a condition of making a pledge or donation. The exclusion provided by this subdivision shall not apply to protect from disclosure (i) the identities of sponsors providing grants to or contracting with the institution for the performance of research services or other work or (ii) the terms and conditions of such grants or contracts.

8. Information held by a threat assessment team established by a local school board pursuant to § 22.1-79.4 or by a public institution of higher education pursuant to § 23.1-805 relating to the assessment or intervention with a specific individual. However, in the event an individual who has been under assessment commits an act, or is prosecuted for the commission of an act that has caused the death of, or caused serious bodily injury, including any felony sexual assault, to another person, such information of the threat assessment team concerning the individual under assessment shall be made available as provided by this chapter, with the exception of any criminal history records obtained pursuant to § 19.2-389 or 19.2-389.1, health records obtained pursuant to § 32.1-127.1:03, or scholastic records as defined in § 22.1-289. The public body providing such information shall remove personally identifying information of any person who provided information to the threat assessment team under a promise of confidentiality.

B. The custodian of a scholastic record shall not release the address, phone number, or email address of a student in response to a request made under this chapter without written consent. For any student who is (i) 18 years of age or older, (ii) under the age of 18 and emancipated, or (iii) attending an institution of higher education, written consent of the student shall be



required. For any other student, written consent of the parent or legal guardian of such student shall be required.

1999, cc. [485](#), [518](#), [703](#), [726](#), [793](#), [849](#), [852](#), [867](#), [868](#), [881](#), § 2.1-342.01; 2000, cc. [66](#), [237](#), [382](#), [400](#), [430](#), [583](#), [589](#), [592](#), [594](#), [618](#), [632](#), [657](#), [720](#), [932](#), [933](#), [947](#), [1006](#), [1064](#);2001, cc. [288](#), [518](#), [844](#), § [2.2-3705](#);2002, cc. [87](#), [155](#), [242](#), [393](#), [478](#), [481](#), [499](#), [522](#), [571](#), [572](#), [633](#), [655](#), [715](#), [798](#), [830](#);2003, cc. [274](#), [307](#), [327](#), [332](#), [358](#), [704](#), [801](#), [884](#), [891](#), [893](#), [897](#), [968](#);2004, c. [690](#);2006, c. [518](#);2008, cc. [561](#), [665](#);2010, cc. [456](#), [524](#);2014, c. [313](#);2016, cc. [554](#), [620](#), [716](#);2017, c. [778](#);2018, c. [756](#).

**§ 2.2-3705.5. Exclusions to application of chapter; health and social services records.**

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § [2.2-3704.01](#).

1. Health records, except that such records may be personally reviewed by the individual who is the subject of such records, as provided in subsection F of § [32.1-127.1:03](#).

Where the person who is the subject of health records is confined in a state or local correctional facility, the administrator or chief medical officer of such facility may assert such confined person's right of access to the health records if the administrator or chief medical officer has reasonable cause to believe that such confined person has an infectious disease or other medical condition from which other persons so confined need to be protected. Health records shall only be reviewed and shall not be copied by such administrator or chief medical officer. The information in the health records of a person so confined shall continue to be confidential and shall not be disclosed by the administrator or chief medical officer of the facility to any person except the subject or except as provided by law.

Where the person who is the subject of health records is under the age of 18, his right of access may be asserted only by his guardian or his parent, including a noncustodial parent, unless such parent's parental rights have been terminated, a court of competent jurisdiction has restricted or denied such access, or a parent has been denied access to the health record in accordance with § [20-124.6](#). In instances where the person who is the subject thereof is an emancipated minor, a student in a public institution of higher education, or is a minor who has consented to his own treatment as authorized by § [16.1-338](#) or [54.1-2969](#), the right of access may be asserted by the subject person.

For the purposes of this chapter, statistical summaries of incidents and statistical data concerning abuse of individuals receiving services compiled by the Commissioner of Behavioral Health and Developmental Services shall be disclosed. No such summaries or data shall include any information that identifies specific individuals receiving services.

2. Applications for admission to examinations or for licensure and scoring records maintained by the Department of Health Professions or any board in that department on individual licensees or applicants; information required to be provided to the Department of Health Professions by certain licensees pursuant to § [54.1-2506.1](#); information held by the Health Practitioners' Monitoring Program Committee within the Department of Health Professions that identifies any practitioner who may be, or who is actually, impaired to the extent that disclosure is prohibited by § [54.1-2517](#); and information relating to the prescribing and dispensing of covered substances to recipients and any abstracts from such information that are in the possession of the

Prescription Monitoring Program (Program) pursuant to Chapter 25.2 (§ 54.1-2519 et seq.) of Title 54.1 and any material relating to the operation or security of the Program.

3. Reports, documentary evidence, and other information as specified in §§ 51.5-122 and 51.5-141 and Chapter 1 (§ 63.2-100 et seq.) of Title 63.2 and information and statistical registries required to be kept confidential pursuant to Chapter 1 (§ 63.2-100 et seq.) of Title 63.2.

4. Investigative notes; proprietary information not published, copyrighted or patented; information obtained from employee personnel records; personally identifiable information regarding residents, clients or other recipients of services; other correspondence and information furnished in confidence to the Department of Social Services in connection with an active investigation of an applicant or licensee pursuant to Chapters 17 (§ 63.2-1700 et seq.) and 18 (§ 63.2-1800 et seq.) of Title 63.2; and information furnished to the Office of the Attorney General in connection with an investigation or litigation pursuant to Article 19.1 (§ 8.01-216.1 et seq.) of Chapter 3 of Title 8.01 and Chapter 9 (§ 32.1-310 et seq.) of Title 32.1. However, nothing in this subdivision shall prevent the disclosure of information from the records of completed investigations in a form that does not reveal the identity of complainants, persons supplying information, or other individuals involved in the investigation.

5. Information collected for the designation and verification of trauma centers and other specialty care centers within the Statewide Emergency Medical Services System and Services pursuant to Article 2.1 (§ 32.1-111.1 et seq.) of Chapter 4 of Title 32.1.

6. Reports and court documents relating to involuntary admission required to be kept confidential pursuant to § 37.2-818.

7. Information acquired (i) during a review of any child death conducted by the State Child Fatality Review team established pursuant to § 32.1-283.1 or by a local or regional child fatality review team to the extent that such information is made confidential by § 32.1-283.2;(ii) during a review of any death conducted by a family violence fatality review team to the extent that such information is made confidential by § 32.1-283.3;(iii) during a review of any adult death conducted by the Adult Fatality Review Team to the extent made confidential by § 32.1-283.5 or by a local or regional adult fatality review team to the extent that such information is made confidential by § 32.1-283.6;or (iv) by a local or regional overdose fatality review team to the extent that such information is made confidential by § 32.1-283.7.

8. Patient level data collected by the Board of Health and not yet processed, verified, and released, pursuant to § 32.1-276.9, to the Board by the nonprofit organization with which the Commissioner of Health has contracted pursuant to § 32.1-276.4.

9. Information relating to a grant application, or accompanying a grant application, submitted to the Commonwealth Neurotrauma Initiative Advisory Board pursuant to Article 12 (§ 51.5-178 et seq.) of Chapter 14 of Title 51.5 that would (i) reveal (a) medical or mental health records or other data identifying individual patients or (b) proprietary business or research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant.

10. Any information copied, recorded, or received by the Commissioner of Health in the course of an examination, investigation, or review of a managed care health insurance plan licensee

pursuant to §§ 32.1-137.4 and 32.1-137.5, including books, records, files, accounts, papers, documents, and any or all computer or other recordings.

11. Records of the Virginia Birth-Related Neurological Injury Compensation Program required to be kept confidential pursuant to § 38.2-5002.2.

12. Information held by the State Health Commissioner relating to the health of any person subject to an order of quarantine or an order of isolation pursuant to Article 3.02 (§ 32.1-48.05 et seq.) of Chapter 2 of Title 32.1. However, nothing in this subdivision shall be construed to prevent the disclosure of statistical summaries, abstracts, or other information in aggregate form.

13. The names and addresses or other contact information of persons receiving transportation services from a state or local public body or its designee under Title II of the Americans with Disabilities Act, (42 U.S.C. § 12131 et seq.) or funded by Temporary Assistance for Needy Families (TANF) created under § 63.2-600.

14. Information held by certain health care committees and entities that may be withheld from discovery as privileged communications pursuant to § 8.01-581.17.

15. Data and information specified in § 37.2-308.01 relating to proceedings provided for in Article 16 (§ 16.1-335 et seq.) of Chapter 11 of Title 16.1 and Chapter 8 (§ 37.2-800 et seq.) of Title 37.2.

16. Records of and information held by the Emergency Department Care Coordination Program required to be kept confidential pursuant to § 32.1-372.

1999, cc. 485, 518, 703, 726, 793, 849, 852, 867, 868, 881, § 2.1-342.01; 2000, cc. 66, 237, 382, 400, 430, 583, 589, 592, 594, 618, 632, 657, 720, 932, 933, 947, 1006, 1064; 2001, cc. 288, 518, 844, § 2.2-3705; 2002, cc. 87, 155, 242, 393, 478, 481, 499, 522, 571, 572, 633, 655, 715, 798, 830; 2003, cc. 274, 307, 327, 332, 358, 704, 801, 884, 891, 893, 897, 968; 2004, cc. 65, 666, 690, 773, 1014, 1021; 2005, cc. 181, 227, 716; 2008, c. 539; 2009, cc. 472, 813, 840; 2011, cc. 110, 175, 535; 2012, cc. 476, 479, 507, 803, 835; 2015, cc. 22, 108, 127; 2016, cc. 620, 716; 2017, cc. 188, 475, 600, 719, 778; 2018, c. 600.

**§ 2.2-3705.6. Exclusions to application of chapter; proprietary records and trade secrets.**

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § 2.2-3704.01.

1. Proprietary information gathered by or for the Virginia Port Authority as provided in § 62.1-132.4 or 62.1-134.1.

2. Financial statements not publicly available filed with applications for industrial development financings in accordance with Chapter 49 (§ 15.2-4900 et seq.) of Title 15.2.

3. Proprietary information, voluntarily provided by private business pursuant to a promise of confidentiality from a public body, used by the public body for business, trade, and tourism development or retention; and memoranda, working papers, or other information related to businesses that are considering locating or expanding in Virginia, prepared by a public body, where competition or bargaining is involved and where disclosure of such information would



adversely affect the financial interest of the public body.

4. Information that was filed as confidential under the Toxic Substances Information Act (§ 32.1-239 et seq.), as such Act existed prior to July 1, 1992.

5. Fisheries data that would permit identification of any person or vessel, except when required by court order as specified in § 28.2-204.

6. Confidential financial statements, balance sheets, trade secrets, and revenue and cost projections provided to the Department of Rail and Public Transportation, provided such information is exempt under the federal Freedom of Information Act or the federal Interstate Commerce Act or other laws administered by the Surface Transportation Board or the Federal Railroad Administration with respect to data provided in confidence to the Surface Transportation Board and the Federal Railroad Administration.

7. Proprietary information related to inventory and sales, voluntarily provided by private energy suppliers to the Department of Mines, Minerals and Energy, used by that Department for energy contingency planning purposes or for developing consolidated statistical information on energy supplies.

8. Confidential proprietary information furnished to the Board of Medical Assistance Services or the Medicaid Prior Authorization Advisory Committee pursuant to Article 4 (§ 32.1-331.12 et seq.) of Chapter 10 of Title 32.1.

9. Proprietary, commercial or financial information, balance sheets, trade secrets, and revenue and cost projections provided by a private transportation business to the Virginia Department of Transportation and the Department of Rail and Public Transportation for the purpose of conducting transportation studies needed to obtain grants or other financial assistance under the Transportation Equity Act for the 21st Century (P.L. 105-178) for transportation projects if disclosure of such information is exempt under the federal Freedom of Information Act or the federal Interstate Commerce Act or other laws administered by the Surface Transportation Board or the Federal Railroad Administration with respect to data provided in confidence to the Surface Transportation Board and the Federal Railroad Administration. However, the exclusion provided by this subdivision shall not apply to any wholly owned subsidiary of a public body.

10. Confidential information designated as provided in subsection F of § 2.2-4342 as trade secrets or proprietary information by any person in connection with a procurement transaction or by any person who has submitted to a public body an application for prequalification to bid on public construction projects in accordance with subsection B of § 2.2-4317.

11. a. Memoranda, staff evaluations, or other information prepared by the responsible public entity, its staff, outside advisors, or consultants exclusively for the evaluation and negotiation of proposals filed under the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.) or the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.) where (i) if such information was made public prior to or after the execution of an interim or a comprehensive agreement, § 33.2-1820 or 56-575.17 notwithstanding, the financial interest or bargaining position of the public entity would be adversely affected and (ii) the basis for the determination required in clause (i) is documented in writing by the responsible public entity; and

b. Information provided by a private entity to a responsible public entity, affected jurisdiction, or

affected local jurisdiction pursuant to the provisions of the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.) or the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.) if disclosure of such information would reveal (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.); (ii) financial information of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (iii) other information submitted by the private entity where if such information was made public prior to the execution of an interim agreement or a comprehensive agreement, the financial interest or bargaining position of the public or private entity would be adversely affected. In order for the information specified in clauses (i), (ii), and (iii) to be excluded from the provisions of this chapter, the private entity shall make a written request to the responsible public entity:

- (1) Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- (2) Identifying with specificity the data or other materials for which protection is sought; and
- (3) Stating the reasons why protection is necessary.

The responsible public entity shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial information of the private entity. To protect other information submitted by the private entity from disclosure, the responsible public entity shall determine whether public disclosure prior to the execution of an interim agreement or a comprehensive agreement would adversely affect the financial interest or bargaining position of the public or private entity. The responsible public entity shall make a written determination of the nature and scope of the protection to be afforded by the responsible public entity under this subdivision. Once a written determination is made by the responsible public entity, the information afforded protection under this subdivision shall continue to be protected from disclosure when in the possession of any affected jurisdiction or affected local jurisdiction.

Except as specifically provided in subdivision 11 a, nothing in this subdivision shall be construed to authorize the withholding of (a) procurement records as required by § 33.2-1820 or 56-575.17; (b) information concerning the terms and conditions of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any kind entered into by the responsible public entity and the private entity; (c) information concerning the terms and conditions of any financing arrangement that involves the use of any public funds; or (d) information concerning the performance of any private entity developing or operating a qualifying transportation facility or a qualifying project.

For the purposes of this subdivision, the terms "affected jurisdiction," "affected local jurisdiction," "comprehensive agreement," "interim agreement," "qualifying project," "qualifying transportation facility," "responsible public entity," and "private entity" shall mean the same as those terms are defined in the Public-Private Transportation Act of 1995 (§ 33.2-1800 et seq.) or in the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.).

12. Confidential proprietary information or trade secrets, not publicly available, provided by a private person or entity pursuant to a promise of confidentiality to the Virginia Resources Authority or to a fund administered in connection with financial assistance rendered or to be rendered by the Virginia Resources Authority where, if such information were made public, the financial interest of the private person or entity would be adversely affected.

13. Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), or confidential proprietary information that is not generally available to the public through regulatory disclosure or otherwise, provided by a (i) bidder or applicant for a franchise or (ii) franchisee under Chapter 21 (§ 15.2-2100 et seq.) of Title 15.2 to the applicable franchising authority pursuant to a promise of confidentiality from the franchising authority, to the extent the information relates to the bidder's, applicant's, or franchisee's financial capacity or provision of new services, adoption of new technologies or implementation of improvements, where such new services, technologies, or improvements have not been implemented by the franchisee on a nonexperimental scale in the franchise area, and where, if such information were made public, the competitive advantage or financial interests of the franchisee would be adversely affected.

In order for trade secrets or confidential proprietary information to be excluded from the provisions of this chapter, the bidder, applicant, or franchisee shall (a) invoke such exclusion upon submission of the data or other materials for which protection from disclosure is sought, (b) identify the data or other materials for which protection is sought, and (c) state the reason why protection is necessary.

No bidder, applicant, or franchisee may invoke the exclusion provided by this subdivision if the bidder, applicant, or franchisee is owned or controlled by a public body or if any representative of the applicable franchising authority serves on the management board or as an officer of the bidder, applicant, or franchisee.

14. Information of a proprietary or confidential nature furnished by a supplier or manufacturer of charitable gaming supplies to the Department of Agriculture and Consumer Services (i) pursuant to subsection E of § 18.2-340.34 and (ii) pursuant to regulations promulgated by the Charitable Gaming Board related to approval of electronic and mechanical equipment.

15. Information related to Virginia apple producer sales provided to the Virginia State Apple Board pursuant to § 3.2-1215.

16. Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) of Title 59.1, submitted by CMRS providers as defined in § 56-484.12 to the former Wireless Carrier E-911 Cost Recovery Subcommittee created pursuant to former § 56-484.15, relating to the provision of wireless E-911 service.

17. Information relating to a grant or loan application, or accompanying a grant or loan application, to the Innovation and Entrepreneurship Investment Authority pursuant to Article 3 (§ 2.2-2233.1 et seq.) of Chapter 22 of Title 2.2 or to the Commonwealth Health Research Board pursuant to Chapter 5.3 (§ 32.1-162.23 et seq.) of Title 32.1 if disclosure of such information would (i) reveal proprietary business or research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant.

18. Confidential proprietary information and trade secrets developed and held by a local public body (i) providing telecommunication services pursuant to § 56-265.4:4 and (ii) providing cable television services pursuant to Article 1.1 (§ 15.2-2108.2 et seq.) of Chapter 21 of Title 15.2 if disclosure of such information would be harmful to the competitive position of the locality.

In order for confidential proprietary information or trade secrets to be excluded from the

provisions of this chapter, the locality in writing shall (a) invoke the protections of this subdivision, (b) identify with specificity the information for which protection is sought, and (c) state the reasons why protection is necessary. However, the exemption provided by this subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et seq.).

19. Confidential proprietary information and trade secrets developed by or for a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) to provide qualifying communications services as authorized by Article 5.1 (§ 56-484.7:1 et seq.) of Chapter 15 of Title 56, where disclosure of such information would be harmful to the competitive position of the authority, except that information required to be maintained in accordance with § 15.2-2160 shall be released.

20. Trade secrets as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) or financial information of a business, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, provided to the Department of Small Business and Supplier Diversity as part of an application for certification as a small, women-owned, or minority-owned business in accordance with Chapter 16.1 (§ 2.2-1603 et seq.). In order for such trade secrets or financial information to be excluded from the provisions of this chapter, the business shall (i) invoke such exclusion upon submission of the data or other materials for which protection from disclosure is sought, (ii) identify the data or other materials for which protection is sought, and (iii) state the reasons why protection is necessary.

21. Information of a proprietary or confidential nature disclosed by a carrier to the State Health Commissioner pursuant to §§ 32.1-276.5:1 and 32.1-276.7:1.

22. Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), including, but not limited to, financial information, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, and revenue and cost projections supplied by a private or nongovernmental entity to the State Inspector General for the purpose of an audit, special investigation, or any study requested by the Office of the State Inspector General in accordance with law.

In order for the information specified in this subdivision to be excluded from the provisions of this chapter, the private or nongovernmental entity shall make a written request to the State Inspector General:

- a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- b. Identifying with specificity the data or other materials for which protection is sought; and
- c. Stating the reasons why protection is necessary.

The State Inspector General shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial information of the private entity. The State Inspector General shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

23. Information relating to a grant application, or accompanying a grant application, submitted to the Tobacco Region Revitalization Commission that would (i) reveal (a) trade secrets as

defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), (b) financial information of a grant applicant that is not a public body, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise, or (c) research-related information produced or collected by the applicant in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of the applicant; and memoranda, staff evaluations, or other information prepared by the Commission or its staff exclusively for the evaluation of grant applications. The exclusion provided by this subdivision shall apply to grants that are consistent with the powers of and in furtherance of the performance of the duties of the Commission pursuant to § 3.2-3103.

In order for the information specified in this subdivision to be excluded from the provisions of this chapter, the applicant shall make a written request to the Commission:

- a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- b. Identifying with specificity the data, information or other materials for which protection is sought; and
- c. Stating the reasons why protection is necessary.

The Commission shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets, financial information, or research-related information of the applicant. The Commission shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

24. a. Information held by the Commercial Space Flight Authority relating to rate structures or charges for the use of projects of, the sale of products of, or services rendered by the Authority if disclosure of such information would adversely affect the financial interest or bargaining position of the Authority or a private entity providing the information to the Authority; or
- b. Information provided by a private entity to the Commercial Space Flight Authority if disclosure of such information would (i) reveal (a) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.); (b) financial information of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (c) other information submitted by the private entity and (ii) adversely affect the financial interest or bargaining position of the Authority or private entity.

In order for the information specified in clauses (a), (b), and (c) of subdivision 24 b to be excluded from the provisions of this chapter, the private entity shall make a written request to the Authority:

- (1) Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- (2) Identifying with specificity the data or other materials for which protection is sought; and
- (3) Stating the reasons why protection is necessary.



The Authority shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial information of the private entity. To protect other information submitted by the private entity from disclosure, the Authority shall determine whether public disclosure would adversely affect the financial interest or bargaining position of the Authority or private entity. The Authority shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

25. Information of a proprietary nature furnished by an agricultural landowner or operator to the Department of Conservation and Recreation, the Department of Environmental Quality, the Department of Agriculture and Consumer Services, or any political subdivision, agency, or board of the Commonwealth pursuant to §§ 10.1-104.7, 10.1-104.8, and 10.1-104.9, other than when required as part of a state or federal regulatory enforcement action.

26. Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), provided to the Department of Environmental Quality pursuant to the provisions of § 10.1-1458. In order for such trade secrets to be excluded from the provisions of this chapter, the submitting party shall (i) invoke this exclusion upon submission of the data or materials for which protection from disclosure is sought, (ii) identify the data or materials for which protection is sought, and (iii) state the reasons why protection is necessary.

27. Information of a proprietary nature furnished by a licensed public-use airport to the Department of Aviation for funding from programs administered by the Department of Aviation or the Virginia Aviation Board, where if such information was made public, the financial interest of the public-use airport would be adversely affected.

In order for the information specified in this subdivision to be excluded from the provisions of this chapter, the public-use airport shall make a written request to the Department of Aviation:

- a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- b. Identifying with specificity the data or other materials for which protection is sought; and
- c. Stating the reasons why protection is necessary.

28. Information relating to a grant or loan application, or accompanying a grant or loan application, submitted to the Virginia Research Investment Committee established pursuant to Article 8 (§ 23.1-3130 et seq.) of Chapter 31 of Title 23.1, to the extent that such records would (i) reveal (a) trade secrets as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.); (b) financial information of a party to a grant or loan application that is not a public body, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (c) research-related information produced or collected by a party to the application in the conduct of or as a result of study or research on medical, rehabilitative, scientific, technical, technological, or scholarly issues, when such information has not been publicly released, published, copyrighted, or patented, and (ii) be harmful to the competitive position of a party to a grant or loan application; and memoranda, staff evaluations, or other information prepared by the Committee or its staff, or a reviewing entity pursuant to subsection D of § 23.1-3133, exclusively for the evaluation of grant or loan applications, including any scoring or prioritization documents prepared for and forwarded to the Committee pursuant to subsection D of § 23.1-3133.

In order for the information submitted by the applicant and specified in this subdivision to be excluded from the provisions of this chapter, the applicant shall make a written request to the Committee:

- a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- b. Identifying with specificity the data, information, or other materials for which protection is sought; and
- c. Stating the reasons why protection is necessary.

The Virginia Research Investment Committee shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets, financial information, or research-related information of the party to the application. The Committee shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

29. Proprietary information, voluntarily provided by a private business pursuant to a promise of confidentiality from a public body, used by the public body for a solar services agreement, where disclosure of such information would (i) reveal (a) trade secrets of the private business as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.); (b) financial information of the private business, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise; or (c) other information submitted by the private business and (ii) adversely affect the financial interest or bargaining position of the public body or private business.

In order for the information specified in clauses (i)(a), (b), and (c) to be excluded from the provisions of this chapter, the private business shall make a written request to the public body:

- a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- b. Identifying with specificity the data or other materials for which protection is sought; and
- c. Stating the reasons why protection is necessary.

30. Information contained in engineering and construction drawings and plans submitted for the sole purpose of complying with the Building Code in obtaining a building permit if disclosure of such information would identify specific trade secrets or other information that would be harmful to the competitive position of the owner or lessee. However, such information shall be exempt only until the building is completed. Information relating to the safety or environmental soundness of any building shall not be exempt from disclosure.

31. Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), including, but not limited to, financial information, including balance sheets and financial statements that are not generally available to the public through regulatory disclosure or otherwise, and revenue and cost projections supplied by a private or nongovernmental entity to the Virginia Department of Transportation for the purpose of an audit, special investigation, or any study requested by the Virginia Department of Transportation in accordance with law.

In order for the records specified in this subdivision to be excluded from the provisions of this

chapter, the private or nongovernmental entity shall make a written request to the Department:

- a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- b. Identifying with specificity the data or other materials for which protection is sought; and
- c. Stating the reasons why protection is necessary.

The Virginia Department of Transportation shall determine whether the requested exclusion from disclosure is necessary to protect trade secrets or financial records of the private entity. The Virginia Department of Transportation shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision.

1999, cc. [485](#), [518](#), [703](#), [726](#), [793](#), [849](#), [852](#), [867](#), [868](#), [881](#), § 2.1-342.01; 2000, cc. [66](#), [237](#), [382](#), [400](#), [430](#), [583](#), [589](#), [592](#), [594](#), [618](#), [632](#), [657](#), [720](#), [932](#), [933](#), [947](#), [1006](#), [1064](#); 2001, cc. [288](#), [518](#), [844](#), § 2.2-3705; 2002, cc. [87](#), [155](#), [242](#), [393](#), [478](#), [481](#), [499](#), [522](#), [571](#), [572](#), [633](#), [655](#), [715](#), [798](#), [830](#); 2003, cc. [274](#), [307](#), [327](#), [332](#), [358](#), [704](#), [801](#), [884](#), [891](#), [893](#), [897](#), [968](#); 2004, cc. [593](#), [690](#); 2005, cc. [258](#), [411](#); 2006, cc. [73](#), [76](#), [467](#), [831](#), [921](#), [936](#); 2006, Sp. Sess. I, c. [1](#); 2007, cc. [374](#), [693](#); 2008, cc. [71](#), [102](#), [266](#), [387](#), [633](#), [689](#), [736](#), [743](#); 2009, cc. [246](#), [311](#), [325](#), [765](#), [810](#), [869](#); 2010, cc. [310](#), [808](#); 2011, cc. [541](#), [781](#), [798](#), [871](#); 2012, cc. [693](#), [709](#); 2013, cc. [54](#), [482](#), [574](#); 2015, cc. [696](#), [697](#); 2016, cc. [620](#), [716](#), [724](#), [725](#), [775](#); 2017, cc. [662](#), [737](#), [778](#), [796](#), [816](#); 2018, cc. [470](#), [532](#), [533](#).

#### **§ 2.2-3705.7. Exclusions to application of chapter; records of specific public bodies and certain other limited exclusions.**

The following information contained in a public record is excluded from the mandatory disclosure provisions of this chapter but may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law. Redaction of information excluded under this section from a public record shall be conducted in accordance with § [2.2-3704.01](#).

1. State income, business, and estate tax returns, personal property tax returns, and confidential records held pursuant to § [58.1-3](#).
2. Working papers and correspondence of the Office of the Governor, the Lieutenant Governor, or the Attorney General; the members of the General Assembly, the Division of Legislative Services, or the Clerks of the House of Delegates or the Senate of Virginia; the mayor or chief executive officer of any political subdivision of the Commonwealth; or the president or other chief executive officer of any public institution of higher education in the Commonwealth. However, no information that is otherwise open to inspection under this chapter shall be deemed excluded by virtue of the fact that it has been attached to or incorporated within any working paper or correspondence. Further, information publicly available or not otherwise subject to an exclusion under this chapter or other provision of law that has been aggregated, combined, or changed in format without substantive analysis or revision shall not be deemed working papers. Nothing in this subdivision shall be construed to authorize the withholding of any resumes or applications submitted by persons who are appointed by the Governor pursuant to § [2.2-106](#) or [2.2-107](#).

As used in this subdivision:

"Members of the General Assembly" means each member of the Senate of Virginia and the House of Delegates and their legislative aides when working on behalf of such member.

"Office of the Governor" means the Governor; the Governor's chief of staff, counsel, director of



policy, and Cabinet Secretaries; the Assistant to the Governor for Intergovernmental Affairs; and those individuals to whom the Governor has delegated his authority pursuant to § 2.2-104.

"Working papers" means those records prepared by or for a public official identified in this subdivision for his personal or deliberative use.

3. Information contained in library records that can be used to identify (i) both (a) any library patron who has borrowed material from a library and (b) the material such patron borrowed or (ii) any library patron under 18 years of age. For the purposes of clause (ii), access shall not be denied to the parent, including a noncustodial parent, or guardian of such library patron.
4. Contract cost estimates prepared for the confidential use of the Department of Transportation in awarding contracts for construction or the purchase of goods or services, and records and automated systems prepared for the Department's Bid Analysis and Monitoring Program.
5. Lists of registered owners of bonds issued by a political subdivision of the Commonwealth, whether the lists are maintained by the political subdivision itself or by a single fiduciary designated by the political subdivision.
6. Information furnished by a member of the General Assembly to a meeting of a standing committee, special committee, or subcommittee of his house established solely for the purpose of reviewing members' annual disclosure statements and supporting materials filed under § 30-110 or of formulating advisory opinions to members on standards of conduct, or both.
7. Customer account information of a public utility affiliated with a political subdivision of the Commonwealth, including the customer's name and service address, but excluding the amount of utility service provided and the amount of money charged or paid for such utility service.
8. Personal information, as defined in § 2.2-3801, (i) filed with the Virginia Housing Development Authority concerning individuals who have applied for or received loans or other housing assistance or who have applied for occupancy of or have occupied housing financed, owned or otherwise assisted by the Virginia Housing Development Authority; (ii) concerning persons participating in or persons on the waiting list for federally funded rent-assistance programs; (iii) filed with any local redevelopment and housing authority created pursuant to § 36-4 concerning persons participating in or persons on the waiting list for housing assistance programs funded by local governments or by any such authority; or (iv) filed with any local redevelopment and housing authority created pursuant to § 36-4 or any other local government agency concerning persons who have applied for occupancy or who have occupied affordable dwelling units established pursuant to § 15.2-2304 or 15.2-2305. However, access to one's own information shall not be denied.
9. Information regarding the siting of hazardous waste facilities, except as provided in § 10.1-1441, if disclosure of such information would have a detrimental effect upon the negotiating position of a governing body or on the establishment of the terms, conditions, and provisions of the siting agreement.
10. Information on the site-specific location of rare, threatened, endangered, or otherwise imperiled plant and animal species, natural communities, caves, and significant historic and archaeological sites if, in the opinion of the public body that has the responsibility for such information, disclosure of the information would jeopardize the continued existence or the integrity of the resource. This exclusion shall not apply to requests from the owner of the land

upon which the resource is located.

11. Memoranda, graphics, video or audio tapes, production models, data, and information of a proprietary nature produced by or for or collected by or for the Virginia Lottery relating to matters of a specific lottery game design, development, production, operation, ticket price, prize structure, manner of selecting the winning ticket, manner of payment of prizes to holders of winning tickets, frequency of drawings or selections of winning tickets, odds of winning, advertising, or marketing, where such information not been publicly released, published, copyrighted, or patented. Whether released, published, or copyrighted, all game-related information shall be subject to public disclosure under this chapter upon the first day of sales for the specific lottery game to which it pertains.

12. Information held by the Virginia Retirement System, acting pursuant to § 51.1-124.30, or a local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of trustees of a trust established by one or more local public bodies to invest funds for post-retirement benefits other than pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the board of visitors of The College of William and Mary in Virginia, acting pursuant to § 23.1-2803, or by the Virginia College Savings Plan, acting pursuant to § 23.1-704, relating to the acquisition, holding, or disposition of a security or other ownership interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, if disclosure of such information would (i) reveal confidential analyses prepared for the board of visitors of the University of Virginia, prepared for the board of visitors of The College of William and Mary in Virginia, prepared by the retirement system, a local finance board or board of trustees, or the Virginia College Savings Plan, or provided to the retirement system, a local finance board or board of trustees, or the Virginia College Savings Plan under a promise of confidentiality of the future value of such ownership interest or the future financial performance of the entity and (ii) have an adverse effect on the value of the investment to be acquired, held, or disposed of by the retirement system, a local finance board or board of trustees, the board of visitors of the University of Virginia, the board of visitors of The College of William and Mary in Virginia, or the Virginia College Savings Plan. Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the identity of any investment held, the amount invested, or the present value of such investment.

13. Financial, medical, rehabilitative, and other personal information concerning applicants for or recipients of loan funds submitted to or maintained by the Assistive Technology Loan Fund Authority under Chapter 11 (§ 51.5-53 et seq.) of Title 51.5.

14. Information held by the Virginia Commonwealth University Health System Authority pertaining to any of the following: an individual's qualifications for or continued membership on its medical or teaching staffs; proprietary information gathered by or in the possession of the Authority from third parties pursuant to a promise of confidentiality; contract cost estimates prepared for confidential use in awarding contracts for construction or the purchase of goods or services; information of a proprietary nature produced or collected by or for the Authority or members of its medical or teaching staffs; financial statements not publicly available that may be filed with the Authority from third parties; the identity, accounts, or account status of any customer of the Authority; consulting or other reports paid for by the Authority to assist the Authority in connection with its strategic planning and goals; the determination of marketing and operational strategies where disclosure of such strategies would be harmful to the

competitive position of the Authority; and information of a proprietary nature produced or collected by or for employees of the Authority, other than the Authority's financial or administrative records, in the conduct of or as a result of study or research on medical, scientific, technical, or scholarly issues, whether sponsored by the Authority alone or in conjunction with a governmental body or a private concern, when such information has not been publicly released, published, copyrighted, or patented. This exclusion shall also apply when such information is in the possession of Virginia Commonwealth University.

15. Information held by the Department of Environmental Quality, the State Water Control Board, the State Air Pollution Control Board, or the Virginia Waste Management Board relating to (i) active federal environmental enforcement actions that are considered confidential under federal law and (ii) enforcement strategies, including proposed sanctions for enforcement actions. Upon request, such information shall be disclosed after a proposed sanction resulting from the investigation has been proposed to the director of the agency. This subdivision shall not be construed to prevent the disclosure of information related to inspection reports, notices of violation, and documents detailing the nature of any environmental contamination that may have occurred or similar documents.

16. Information related to the operation of toll facilities that identifies an individual, vehicle, or travel itinerary, including vehicle identification data or vehicle enforcement system information; video or photographic images; Social Security or other identification numbers appearing on driver's licenses; credit card or bank account data; home addresses; phone numbers; or records of the date or time of toll facility use.

17. Information held by the Virginia Lottery pertaining to (i) the social security number, tax identification number, state sales tax number, home address and telephone number, personal and lottery banking account and transit numbers of a retailer, and financial information regarding the nonlottery operations of specific retail locations and (ii) individual lottery winners, except that a winner's name, hometown, and amount won shall be disclosed.

18. Information held by the Board for Branch Pilots relating to the chemical or drug testing of a person regulated by the Board, where such person has tested negative or has not been the subject of a disciplinary action by the Board for a positive test result.

19. Information pertaining to the planning, scheduling, and performance of examinations of holder records pursuant to the Uniform Disposition of Unclaimed Property Act (§ 55-210.1 et seq.) prepared by or for the State Treasurer or his agents or employees or persons employed to perform an audit or examination of holder records.

20. Information held by the Virginia Department of Emergency Management or a local governing body relating to citizen emergency response teams established pursuant to an ordinance of a local governing body that reveal the name, address, including e-mail address, telephone or pager numbers, or operating schedule of an individual participant in the program.

21. Information held by state or local park and recreation departments and local and regional park authorities concerning identifiable individuals under the age of 18 years. However, nothing in this subdivision shall operate to prevent the disclosure of information defined as directory information under regulations implementing the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, unless the public body has undertaken the parental notification and opt-out requirements provided by such regulations. Access shall not be denied to the parent, including a

noncustodial parent, or guardian of such person, unless the parent's parental rights have been terminated or a court of competent jurisdiction has restricted or denied such access. For such information of persons who are emancipated, the right of access may be asserted by the subject thereof. Any parent or emancipated person who is the subject of the information may waive, in writing, the protections afforded by this subdivision. If the protections are so waived, the public body shall open such information for inspection and copying.

22. Information submitted for inclusion in the Statewide Alert Network administered by the Department of Emergency Management that reveal names, physical addresses, email addresses, computer or internet protocol information, telephone numbers, pager numbers, other wireless or portable communications device information, or operating schedules of individuals or agencies, where the release of such information would compromise the security of the Statewide Alert Network or individuals participating in the Statewide Alert Network.

23. Information held by the Judicial Inquiry and Review Commission made confidential by § 17.1-913.

24. Information held by the Virginia Retirement System acting pursuant to § 51.1-124.30, a local retirement system acting pursuant to § 51.1-803 (hereinafter collectively referred to as the retirement system), or the Virginia College Savings Plan, acting pursuant to § 23.1-704 relating to:

- a. Internal deliberations of or decisions by the retirement system or the Virginia College Savings Plan on the pursuit of particular investment strategies, or the selection or termination of investment managers, prior to the execution of such investment strategies or the selection or termination of such managers, if disclosure of such information would have an adverse impact on the financial interest of the retirement system or the Virginia College Savings Plan; and
- b. Trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), provided by a private entity to the retirement system or the Virginia College Savings Plan if disclosure of such records would have an adverse impact on the financial interest of the retirement system or the Virginia College Savings Plan.

For the records specified in subdivision b to be excluded from the provisions of this chapter, the entity shall make a written request to the retirement system or the Virginia College Savings Plan:

- (1) Invoking such exclusion prior to or upon submission of the data or other materials for which protection from disclosure is sought;
- (2) Identifying with specificity the data or other materials for which protection is sought; and
- (3) Stating the reasons why protection is necessary.

The retirement system or the Virginia College Savings Plan shall determine whether the requested exclusion from disclosure meets the requirements set forth in subdivision b.

Nothing in this subdivision shall be construed to prevent the disclosure of the identity or amount of any investment held or the present value and performance of all asset classes and subclasses.

25. Information held by the Department of Corrections made confidential by § 53.1-233.

26. Information maintained by the Department of the Treasury or participants in the Local Government Investment Pool (§ 2.2-4600 et seq.) and required to be provided by such

participants to the Department to establish accounts in accordance with § 2.2-4602.

27. Personal information, as defined in § 2.2-3801, contained in the Veterans Care Center Resident Trust Funds concerning residents or patients of the Department of Veterans Services Care Centers, except that access shall not be denied to the person who is the subject of the information.

28. Information maintained in connection with fundraising activities by the Veterans Services Foundation pursuant to § 2.2-2716 that reveal the address, electronic mail address, facsimile or telephone number, social security number or other identification number appearing on a driver's license, or credit card or bank account data of identifiable donors, except that access shall not be denied to the person who is the subject of the information. Nothing in this subdivision, however, shall be construed to prevent the disclosure of information relating to the amount, date, purpose, and terms of the pledge or donation or the identity of the donor, unless the donor has requested anonymity in connection with or as a condition of making a pledge or donation. The exclusion provided by this subdivision shall not apply to protect from disclosure (i) the identities of sponsors providing grants to or contracting with the foundation for the performance of services or other work or (ii) the terms and conditions of such grants or contracts.

29. Information prepared for and utilized by the Commonwealth's Attorneys' Services Council in the training of state prosecutors or law-enforcement personnel, where such information is not otherwise available to the public and the disclosure of such information would reveal confidential strategies, methods, or procedures to be employed in law-enforcement activities or materials created for the investigation and prosecution of a criminal case.

30. Information provided to the Department of Aviation by other entities of the Commonwealth in connection with the operation of aircraft where the information would not be subject to disclosure by the entity providing the information. The entity providing the information to the Department of Aviation shall identify the specific information to be protected and the applicable provision of this chapter that excludes the information from mandatory disclosure.

31. Information created or maintained by or on the behalf of the judicial performance evaluation program related to an evaluation of any individual justice or judge made confidential by § 17.1-100.

32. Information reflecting the substance of meetings in which (i) individual sexual assault cases are discussed by any sexual assault team established pursuant to § 15.2-1627.4 or (ii) individual child abuse or neglect cases or sex offenses involving a child are discussed by multidisciplinary child abuse teams established pursuant to § 15.2-1627.5. The findings of any such team may be disclosed or published in statistical or other aggregated form that does not disclose the identity of specific individuals.

33. Information contained in the strategic plan, marketing plan, or operational plan prepared by the Virginia Economic Development Partnership Authority pursuant to § 2.2-2237.1 regarding target companies, specific allocation of resources and staff for marketing activities, and specific marketing activities that would reveal to the Commonwealth's competitors for economic development projects the strategies intended to be deployed by the Commonwealth, thereby adversely affecting the financial interest of the Commonwealth. The executive summaries of the strategic plan, marketing plan, and operational plan shall not be redacted or withheld pursuant to this subdivision.



1999, cc. 485, 518, 703, 726, 793, 849, 852, 867, 868, 881, § 2.1-342.01; 2000, cc. 66, 237, 382, 400, 430, 583, 589, 592, 594, 618, 632, 657, 720, 932, 933, 947, 1006, 1064; 2001, cc. 288, 518, 844, § 2.2-3705; 2002, cc. 87, 155, 242, 393, 478, 481, 499, 522, 571, 572, 633, 655, 715, 798, 830; 2003, cc. 274, 307, 327, 332, 358, 704, 801, 884, 891, 893, 897, 968; 2004, cc. 426, 690, 832; 2005, cc. 165, 508; 2007, cc. 406, 652, 660, 737, 739; 2008, cc. 16, 739; 2009, cc. 223, 827, 845; 2010, c. 300; 2011, cc. 827, 867; 2012, c. 726; 2013, cc. 199, 481, 554, 574; 2014, cc. 225, 808; 2015, cc. 38, 137, 549, 730; 2016, cc. 550, 620, 716, 729; 2017, cc. 587, 642, 778, 804, 824; 2018, cc. 58, 141.

#### **§ 2.2-3705.8. Limitation on record exclusions.**

Nothing in this chapter shall be construed as denying public access to the nonexempt portions of a report of a consultant hired by or at the request of a local public body or the mayor or chief executive or administrative officer of such public body if (i) the contents of such report have been distributed or disclosed to members of the local public body or (ii) the local public body has scheduled any action on a matter that is the subject of the consultant's report.

1999, cc. 485, 518, 703, 726, 793, 849, 852, 867, 868, 881, § 2.1-342.01; 2000, cc. 66, 237, 382, 400, 430, 583, 589, 592, 594, 618, 632, 657, 720, 932, 933, 947, 1006, 1064; 2001, cc. 288, 518, 844, § 2.2-3705; 2002, cc. 87, 155, 242, 393, 478, 481, 499, 522, 571, 572, 633, 655, 715, 798, 830; 2003, cc. 274, 307, 327, 332, 358, 704, 801, 884, 891, 893, 897, 968; 2004, c. 690; 2017, c. 778.

#### **§ 2.2-3706. Disclosure of law-enforcement and criminal records; limitations.**

A. Records required to be released. All public bodies engaged in criminal law-enforcement activities shall provide the following records when requested in accordance with the provisions of this chapter:

1. Criminal incident information relating to felony offenses, which shall include:
  - a. A general description of the criminal activity reported;
  - b. The date the alleged crime was committed;
  - c. The general location where the alleged crime was committed;
  - d. The identity of the investigating officer or other point of contact; and
  - e. A general description of any injuries suffered or property damaged or stolen.

A verbal response as agreed to by the requester and the public body is sufficient to satisfy the requirements of subdivision 1.

Where the release of criminal incident information, however, is likely to jeopardize an ongoing investigation or prosecution or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld until the above-referenced damage is no longer likely to occur from release of the information. Nothing in subdivision 1 shall be construed to authorize the withholding of those portions of such information that are not likely to cause the above-referenced damage;

2. Adult arrestee photographs taken during the initial intake following the arrest and as part of the routine booking procedure, except when necessary to avoid jeopardizing an investigation in felony cases until such time as the release of the photograph will no longer jeopardize the investigation;

3. Information relative to the identity of any individual, other than a juvenile, who is arrested and charged, and the status of the charge or arrest; and
4. Records of completed unattended death investigations to the parent or spouse of the decedent or, if there is no living parent or spouse, to the most immediate family member of the decedent, provided the person is not a person of interest or a suspect. For the purposes of this subdivision, "unattended death" means a death determined to be a suicide, accidental or natural death where no criminal charges will be initiated, and "immediate family" means the decedent's personal representative or, if no personal representative has qualified, the decedent's next of kin in order of intestate succession as set forth in § 64.2-200.

B. Discretionary releases. The following records are excluded from the mandatory disclosure provisions of this chapter, but may be disclosed by the custodian, in his discretion, except where such disclosure is prohibited by law:

1. Criminal investigative files, defined as any documents and information, including complaints, court orders, memoranda, notes, diagrams, maps, photographs, correspondence, reports, witness statements, and evidence relating to a criminal investigation or prosecution, other than criminal incident information subject to release in accordance with subdivision A 1;
2. Reports submitted in confidence to (i) state and local law-enforcement agencies, (ii) investigators authorized pursuant to Chapter 3.2 (§ 2.2-307 et seq.), and (iii) campus police departments of public institutions of higher education established pursuant to Article 3 (§ 23.1-809 et seq.) of Chapter 8 of Title 23.1;
3. Records of local law-enforcement agencies relating to neighborhood watch programs that include the names, addresses, and operating schedules of individual participants in the program that are provided to such agencies under a promise of anonymity;
4. All records of persons imprisoned in penal institutions in the Commonwealth provided such records relate to the imprisonment;
5. Records of law-enforcement agencies, to the extent that such records contain specific tactical plans, the disclosure of which would jeopardize the safety or security of law-enforcement personnel or the general public;
6. All records of adult persons under (i) investigation or supervision by a local pretrial services agency in accordance with Article 5 (§ 19.2-152.2 et seq.) of Chapter 9 of Title 19.2; (ii) investigation, probation supervision, or monitoring by a local community-based probation services agency in accordance with Article 9 (§ 9.1-173 et seq.) of Chapter 1 of Title 9.1; or (iii) investigation or supervision by state probation and parole services in accordance with Article 2 (§ 53.1-141 et seq.) of Chapter 4 of Title 53.1;
7. Records of a law-enforcement agency to the extent that they disclose the telephone numbers for cellular telephones, pagers, or comparable portable communication devices provided to its personnel for use in the performance of their official duties;
8. Those portions of any records containing information related to undercover operations or protective details that would reveal the staffing, logistics, or tactical plans of such undercover operations or protective details. Nothing in this subdivision shall operate to allow the withholding of information concerning the overall costs or expenses associated with undercover operations or protective details;

9. Records of (i) background investigations of applicants for law-enforcement agency employment, (ii) administrative investigations relating to allegations of wrongdoing by employees of a law-enforcement agency, and (iii) other administrative investigations conducted by law-enforcement agencies that are made confidential by law;

10. The identity of any victim, witness, or undercover officer, or investigative techniques or procedures. However, the identity of any victim or witness shall be withheld if disclosure is prohibited or restricted under § 19.2-11.2; and

11. Records of the Sex Offender and Crimes Against Minors Registry maintained by the Department of State Police pursuant to Chapter 9 (§ 9.1-900 et seq.) of Title 9.1, including information obtained from state, local, and regional officials, except to the extent that information is required to be posted on the Internet pursuant to § 9.1-913.

C. Prohibited releases. The identity of any individual providing information about a crime or criminal activity under a promise of anonymity shall not be disclosed.

D. Noncriminal records. Public bodies (i) engaged in emergency medical services, (ii) engaged in fire protection services, (iii) engaged in criminal law-enforcement activities, or (iv) engaged in processing calls for service or other communications to an emergency 911 system or any other equivalent reporting system may withhold those portions of noncriminal incident or other noncriminal investigative reports or materials that contain identifying information of a personal, medical, or financial nature where the release of such information would jeopardize the safety or privacy of any person. Access to personnel records of persons employed by a law-enforcement agency shall be governed by the provisions of subdivision B 9 of this section and subdivision 1 of § 2.2-3705.1, as applicable.

E. Records of any call for service or other communication to an emergency 911 system or communicated with any other equivalent reporting system shall be subject to the provisions of this chapter.

F. Conflict resolution. In the event of conflict between this section as it relates to requests made under this section and other provisions of law, this section shall control.

1999, cc. 703, 726, § 2.1-342.2; 2000, c. 227; 2001, c. 844; 2002, cc. 393, 715, 769, 830; 2004, cc. 685, 735; 2006, cc. 857, 914; 2007, c. 133; 2010, c. 627; 2011, cc. 798, 871; 2013, c. 695; 2016, cc. 184, 546; 2017, c. 828; 2018, c. 48.

**§ 2.2-3707. Meetings to be public; notice of meetings; recordings; minutes.**

A. All meetings of public bodies shall be open, except as provided in §§ 2.2-3707.01 and 2.2-3711.

B. No meeting shall be conducted through telephonic, video, electronic or other electronic communication means where the members are not physically assembled to discuss or transact public business, except as provided in § 2.2-3708.2 or as may be specifically provided in Title 54.1 for the summary suspension of professional licenses.

C. Every public body shall give notice of the date, time, and location of its meetings by:

1. Posting such notice on its official public government website, if any;
2. Placing such notice in a prominent public location at which notices are regularly posted; and



3. Placing such notice at the office of the clerk of the public body or, in the case of a public body that has no clerk, at the office of the chief administrator.

All state public bodies subject to the provisions of this chapter shall also post notice of their meetings on a central, publicly available electronic calendar maintained by the Commonwealth. Publication of meeting notices by electronic means by other public bodies shall be encouraged.

The notice shall be posted at least three working days prior to the meeting.

D. Notice, reasonable under the circumstance, of special, emergency, or continued meetings shall be given contemporaneously with the notice provided to the members of the public body conducting the meeting.

E. Any person may annually file a written request for notification with a public body. The request shall include the requester's name, address, zip code, daytime telephone number, electronic mail address, if available, and organization, if any. The public body receiving such request shall provide notice of all meetings directly to each such person. Without objection by the person, the public body may provide electronic notice of all meetings in response to such requests.

F. At least one copy of the proposed agenda and all agenda packets and, unless exempt, all materials furnished to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body. The proposed agendas for meetings of state public bodies where at least one member has been appointed by the Governor shall state whether or not public comment will be received at the meeting and, if so, the approximate point during the meeting when public comment will be received.

G. Any person may photograph, film, record or otherwise reproduce any portion of a meeting required to be open. The public body conducting the meeting may adopt rules governing the placement and use of equipment necessary for broadcasting, photographing, filming or recording a meeting to prevent interference with the proceedings, but shall not prohibit or otherwise prevent any person from photographing, filming, recording, or otherwise reproducing any portion of a meeting required to be open. No public body shall conduct a meeting required to be open in any building or facility where such recording devices are prohibited.

H. Minutes shall be recorded at all open meetings. However, minutes shall not be required to be taken at deliberations of (i) standing and other committees of the General Assembly; (ii) legislative interim study commissions and committees, including the Virginia Code Commission; (iii) study committees or commissions appointed by the Governor; or (iv) study commissions or study committees, or any other committees or subcommittees appointed by the governing bodies or school boards of counties, cities and towns, except where the membership of any such commission, committee or subcommittee includes a majority of the governing body of the county, city or town or school board.

Minutes, including draft minutes, and all other records of open meetings, including audio or audio/visual records shall be deemed public records and subject to the provisions of this chapter.

Minutes shall be in writing and shall include (a) the date, time, and location of the meeting; (b) the members of the public body recorded as present and absent; and (c) a summary of the discussion on matters proposed, deliberated or decided, and a record of any votes taken. In addition, for electronic communication meetings conducted in accordance with § 2.2-3708.2,

minutes of state public bodies shall include (1) the identity of the members of the public body at each remote location identified in the notice who participated in the meeting through electronic communication means, (2) the identity of the members of the public body who were physically assembled at the primary or central meeting location, and (3) the identity of the members of the public body who were not present at the locations identified in clauses (1) and (2) but who monitored such meeting through electronic communication means.

1968, c. 479, § 2.1-343; 1973, c. 461; 1976, c. 467; 1977, c. 677; 1982, c. 333; 1989, c. 358; 1990, c. 538; 1993, c. 720; 1995, c. 562; 1999, cc. 696, 703, 726; 2000, c. 227; 2001, c. 844; 2004, cc. 730, 768; 2005, c. 352; 2007, c. 300; 2009, c. 628; 2010, c. 309; 2015, c. 131; 2017, c. 616; 2018, c. 55.

### **§ 2.2-3707.01. Meetings of the General Assembly.**

A. Except as provided in subsection B, public access to any meeting of the General Assembly or a portion thereof shall be governed by rules established by the Joint Rules Committee and approved by a majority vote of each house at the next regular session of the General Assembly. At least 60 days before the adoption of such rules, the Joint Rules Committee shall (i) hold regional public hearings on such proposed rules and (ii) provide a copy of such proposed rules to the Virginia Freedom of Information Advisory Council.

B. Floor sessions of either house of the General Assembly; meetings, including work sessions, of any standing or interim study committee of the General Assembly; meetings, including work sessions, of any subcommittee of such standing or interim study committee; and joint committees of conference of the General Assembly; or a quorum of any such committees or subcommittees, shall be open and governed by this chapter.

C. Meetings of the respective political party caucuses of either house of the General Assembly, including meetings conducted by telephonic or other electronic communication means, without regard to (i) whether the General Assembly is in or out of regular or special session or (ii) whether such caucuses invite staff or guests to participate in their deliberations, shall not be deemed meetings for the purposes of this chapter.

D. No regular, special, or reconvened session of the General Assembly held pursuant to Article IV, Section 6 of the Constitution of Virginia shall be conducted using electronic communication means pursuant to § 2.2-3708.2.

2004, c. 768; 2005, c. 352; 2018, c. 55.

### **§ 2.2-3707.1. Posting of minutes for state boards and commissions.**

All boards, commissions, councils, and other public bodies created in the executive branch of state government and subject to the provisions of this chapter shall post minutes of their meetings on such body's official public government website and on a central electronic calendar maintained by the Commonwealth. Draft minutes of meetings shall be posted as soon as possible but no later than 10 working days after the conclusion of the meeting. Final approved meeting minutes shall be posted within three working days of final approval of the minutes.

2002, cc. 580, 618; 2006, cc. 474, 595; 2007, c. 300; 2017, c. 616.

### **§ 2.2-3708. Repealed.**

Repealed by Acts 2018, c. 55, cl. 2.

**§ 2.2-3708.2. Meetings held through electronic communication means.**

A. The following provisions apply to all public bodies:

1. Subject to the requirements of subsection C, all public bodies may conduct any meeting wherein the public business is discussed or transacted through electronic communication means if, on or before the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that:
  - a. Such member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance; or
  - b. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this subdivision is limited each calendar year to two meetings.
2. If participation by a member through electronic communication means is approved pursuant to subdivision 1, the public body holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved pursuant to subdivision 1 a, the public body shall also include in its minutes the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance. If participation is approved pursuant to subdivision 1 b, the public body shall also include in its minutes the specific nature of the personal matter cited by the member.

If a member's participation from a remote location pursuant to subdivision 1 b is disapproved because such participation would violate the policy adopted pursuant to subsection C, such disapproval shall be recorded in the minutes with specificity.

3. Any public body may meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency. The public body convening a meeting in accordance with this subdivision shall:
  - a. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body conducting the meeting;
  - b. Make arrangements for public access to such meeting; and
  - c. Otherwise comply with the provisions of this section.

The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

B. The following provisions apply to regional public bodies:

1. Subject to the requirements in subsection C, regional public bodies may also conduct any meeting wherein the public business is discussed or transacted through electronic

communication means if, on the day of a meeting, a member of a regional public body notifies the chair of the public body that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting.

2. If participation by a member through electronic communication means is approved pursuant to this subsection, the public body holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public.

If a member's participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection C, such disapproval shall be recorded in the minutes with specificity.

C. Participation by a member of a public body in a meeting through electronic communication means pursuant to subsections A and B shall be authorized only if the following conditions are met:

1. The public body has adopted a written policy allowing for and governing participation of its members by electronic communication means, including an approval process for such participation, subject to the express limitations imposed by this section. Once adopted, the policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;

2. A quorum of the public body is physically assembled at one primary or central meeting location; and

3. The public body makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

D. The following provisions apply to state public bodies:

1. Except as provided in subsection D of § [2.2-3707.01](#), state public bodies may also conduct any meeting wherein the public business is discussed or transacted through electronic communication means, provided that (i) a quorum of the public body is physically assembled at one primary or central meeting location, (ii) notice of the meeting has been given in accordance with subdivision 2, and (iii) members of the public are provided a substantially equivalent electronic communication means through which to witness the meeting. For the purposes of this subsection, "witness" means observe or listen.

If a state public body holds a meeting through electronic communication means pursuant to this subsection, it shall also hold at least one meeting annually where members in attendance at the meeting are physically assembled at one location and where no members participate by electronic communication means.

2. Notice of any regular meeting held pursuant to this subsection shall be provided at least three working days in advance of the date scheduled for the meeting. Notice, reasonable under the circumstance, of special, emergency, or continued meetings held pursuant to this section shall be given contemporaneously with the notice provided to members of the public body conducting the meeting. For the purposes of this subsection, "continued meeting" means a meeting that is continued to address an emergency or to conclude the agenda of a meeting for which proper notice was given.

The notice shall include the date, time, place, and purpose for the meeting; shall identify the primary or central meeting location and any remote locations that are open to the public pursuant to subdivision 4; shall include notice as to the electronic communication means by which members of the public may witness the meeting; and shall include a telephone number that may be used to notify the primary or central meeting location of any interruption in the telephonic or video broadcast of the meeting. Any interruption in the telephonic or video broadcast of the meeting shall result in the suspension of action at the meeting until repairs are made and public access is restored.

3. A copy of the proposed agenda and agenda packets and, unless exempt, all materials that will be distributed to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body conducting the meeting.

4. Public access to the remote locations from which additional members of the public body participate through electronic communication means shall be encouraged but not required. However, if three or more members are gathered at the same remote location, then such remote location shall be open to the public.

5. If access to remote locations is afforded, (i) all persons attending the meeting at any of the remote locations shall be afforded the same opportunity to address the public body as persons attending at the primary or central location and (ii) a copy of the proposed agenda and agenda packets and, unless exempt, all materials that will be distributed to members of the public body for the meeting shall be made available for inspection by members of the public attending the meeting at any of the remote locations at the time of the meeting.

6. The public body shall make available to the public at any meeting conducted in accordance with this subsection a public comment form prepared by the Virginia Freedom of Information Advisory Council in accordance with § 30-179.

7. Minutes of all meetings held by electronic communication means shall be recorded as required by § 2.2-3707. Votes taken during any meeting conducted through electronic communication means shall be recorded by name in roll-call fashion and included in the minutes. For emergency meetings held by electronic communication means, the nature of the emergency shall be stated in the minutes.

8. Any authorized state public body that meets by electronic communication means pursuant to this subsection shall make a written report of the following to the Virginia Freedom of Information Advisory Council by December 15 of each year:

- a. The total number of meetings held that year in which there was participation through electronic communication means;
- b. The dates and purposes of each such meeting;
- c. A copy of the agenda for each such meeting;
- d. The primary or central meeting location of each such meeting;
- e. The types of electronic communication means by which each meeting was held;
- f. If possible, the number of members of the public who witnessed each meeting through

electronic communication means;

g. The identity of the members of the public body recorded as present at each meeting, and whether each member was present at the primary or central meeting location or participated through electronic communication means;

h. The identity of any members of the public body who were recorded as absent at each meeting and any members who were recorded as absent at a meeting but who monitored the meeting through electronic communication means;

i. If members of the public were granted access to a remote location from which a member participated in a meeting through electronic communication means, the number of members of the public at each such remote location;

j. A summary of any public comment received about the process of conducting a meeting through electronic communication means; and

k. A written summary of the public body's experience conducting meetings through electronic communication means, including its logistical and technical experience.

E. Nothing in this section shall be construed to prohibit the use of interactive audio or video means to expand public participation.

2018, cc. [55](#), [56](#).

**§ 2.2-3709. Expired.**

Expired.

**§ 2.2-3710. Transaction of public business other than by votes at meetings prohibited.**

A. Unless otherwise specifically provided by law, no vote of any kind of the membership, or any part thereof, of any public body shall be taken to authorize the transaction of any public business, other than a vote taken at a meeting conducted in accordance with the provisions of this chapter. No public body shall vote by secret or written ballot, and unless expressly provided by this chapter, no public body shall vote by telephone or other electronic communication means.

B. Notwithstanding the foregoing, nothing contained herein shall be construed to prohibit (i) separately contacting the membership, or any part thereof, of any public body for the purpose of ascertaining a member's position with respect to the transaction of public business, whether such contact is done in person, by telephone or by electronic communication, provided the contact is done on a basis that does not constitute a meeting as defined in this chapter or (ii) the House of Delegates or the Senate of Virginia from adopting rules relating to the casting of votes by members of standing committees. Nothing in this subsection shall operate to exclude any public record from the provisions of this chapter.

1987, c. 71, § 2.1-343.2; 1999, cc. [703](#), [726](#); 2000, c. [932](#); 2001, cc. [710](#), [844](#); 2002, c. [491](#).

**§ 2.2-3711. Closed meetings authorized for certain limited purposes.**

A. Public bodies may hold closed meetings only for the following purposes:

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or

resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.

2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student of any public institution of higher education in the Commonwealth or any state school system. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents, or guardians so request in writing and such request is submitted to the presiding officer of the appropriate board.

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

4. The protection of the privacy of individuals in personal matters not related to public business.

5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

9. Discussion or consideration by governing boards of public institutions of higher education of matters relating to gifts, bequests and fund-raising activities, and of grants and contracts for services or work to be performed by such institution. However, the terms and conditions of any such gifts, bequests, grants, and contracts made by a foreign government, a foreign legal entity,



or a foreign person and accepted by a public institution of higher education in the Commonwealth shall be subject to public disclosure upon written request to the appropriate board of visitors. For the purpose of this subdivision, (i) "foreign government" means any government other than the United States government or the government of a state or a political subdivision thereof, (ii) "foreign legal entity" means any legal entity (a) created under the laws of the United States or of any state thereof if a majority of the ownership of the stock of such legal entity is owned by foreign governments or foreign persons or if a majority of the membership of any such entity is composed of foreign persons or foreign legal entities or (b) created under the laws of a foreign government, and (iii) "foreign person" means any individual who is not a citizen or national of the United States or a trust territory or protectorate thereof.

10. Discussion or consideration by the boards of trustees of the Virginia Museum of Fine Arts, the Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, and The Science Museum of Virginia of matters relating to specific gifts, bequests, and grants from private sources.

11. Discussion or consideration of honorary degrees or special awards.

12. Discussion or consideration of tests, examinations, or other information used, administered, or prepared by a public body and subject to the exclusion in subdivision 4 of § [2.2-3705.1](#).

13. Discussion, consideration, or review by the appropriate House or Senate committees of possible disciplinary action against a member arising out of the possible inadequacy of the disclosure statement filed by the member, provided the member may request in writing that the committee meeting not be conducted in a closed meeting.

14. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the governing body in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the governing body or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.

15. Discussion by the Governor and any economic advisory board reviewing forecasts of economic activity and estimating general and nongeneral fund revenues.

16. Discussion or consideration of medical and mental health records subject to the exclusion in subdivision 1 of § [2.2-3705.5](#).

17. Deliberations of the Virginia Lottery Board in a licensing appeal action conducted pursuant to subsection D of § [58.1-4007](#) regarding the denial or revocation of a license of a lottery sales agent; and discussion, consideration or review of Virginia Lottery matters related to proprietary lottery game information and studies or investigations excluded from disclosure under subdivision 6 of § [2.2-3705.3](#) and subdivision 11 of § [2.2-3705.7](#).

18. Those portions of meetings in which the Board of Corrections discusses or discloses the identity of, or information tending to identify, any prisoner who (i) provides information about crimes or criminal activities, (ii) renders assistance in preventing the escape of another prisoner or in the apprehension of an escaped prisoner, or (iii) voluntarily or at the instance of a prison official renders other extraordinary services, the disclosure of which is likely to jeopardize the prisoner's life or safety.



19. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of information subject to the exclusion in subdivision 2 or 14 of § 2.2-3705.2, where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system, or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

20. Discussion by the Board of the Virginia Retirement System, acting pursuant to § 51.1-124.30, or of any local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of trustees of a trust established by one or more local public bodies to invest funds for postemployment benefits other than pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the Board of the Virginia College Savings Plan, acting pursuant to § 23.1-706, regarding the acquisition, holding or disposition of a security or other ownership interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, to the extent that such discussion (i) concerns confidential analyses prepared for the board of visitors of the University of Virginia, prepared by the retirement system, or a local finance board or board of trustees, or the Virginia College Savings Plan or provided to the retirement system, a local finance board or board of trustees, or the Virginia College Savings Plan under a promise of confidentiality, of the future value of such ownership interest or the future financial performance of the entity, and (ii) would have an adverse effect on the value of the investment to be acquired, held, or disposed of by the retirement system, a local finance board or board of trustees, the board of visitors of the University of Virginia, or the Virginia College Savings Plan. Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the identity of any investment held, the amount invested or the present value of such investment.

21. Those portions of meetings in which individual child death cases are discussed by the State Child Fatality Review team established pursuant to § 32.1-283.1, those portions of meetings in which individual child death cases are discussed by a regional or local child fatality review team established pursuant to § 32.1-283.2, those portions of meetings in which individual death cases are discussed by family violence fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in which individual adult death cases are discussed by the state Adult Fatality Review Team established pursuant to § 32.1-283.5, those portions of meetings in which individual adult death cases are discussed by a local or regional adult fatality review team established pursuant to § 32.1-283.6, and those portions of meetings in which individual death cases are discussed by overdose fatality review teams established pursuant to § 32.1-283.7.

22. Those portions of meetings of the board of visitors of the University of Virginia or the Eastern Virginia Medical School Board of Visitors, as the case may be, and those portions of meetings of any persons to whom management responsibilities for the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, have been delegated, in which there is discussed proprietary, business-related information pertaining to the operations of the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, including business development or marketing strategies and activities with existing or future joint venturers, partners, or other parties with whom the University of Virginia Medical Center or

Eastern Virginia Medical School, as the case may be, has formed, or forms, any arrangement for the delivery of health care, if disclosure of such information would adversely affect the competitive position of the Medical Center or Eastern Virginia Medical School, as the case may be.

23. Discussion or consideration by the Virginia Commonwealth University Health System Authority or the board of visitors of Virginia Commonwealth University of any of the following: the acquisition or disposition by the Authority of real property, equipment, or technology software or hardware and related goods or services, where disclosure would adversely affect the bargaining position or negotiating strategy of the Authority; matters relating to gifts or bequests to, and fund-raising activities of, the Authority; grants and contracts for services or work to be performed by the Authority; marketing or operational strategies plans of the Authority where disclosure of such strategies or plans would adversely affect the competitive position of the Authority; and members of the Authority's medical and teaching staffs and qualifications for appointments thereto.

24. Those portions of the meetings of the Health Practitioners' Monitoring Program Committee within the Department of Health Professions to the extent such discussions identify any practitioner who may be, or who actually is, impaired pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1.

25. Meetings or portions of meetings of the Board of the Virginia College Savings Plan wherein personal information, as defined in § 2.2-3801, which has been provided to the Board or its employees by or on behalf of individuals who have requested information about, applied for, or entered into prepaid tuition contracts or savings trust account agreements pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1 is discussed.

26. Discussion or consideration, by the former Wireless Carrier E-911 Cost Recovery Subcommittee created pursuant to former § 56-484.15, of trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), submitted by CMRS providers as defined in § 56-484.12, related to the provision of wireless E-911 service.

27. Those portions of disciplinary proceedings by any regulatory board within the Department of Professional and Occupational Regulation, Department of Health Professions, or the Board of Accountancy conducted pursuant to § 2.2-4019 or 2.2-4020 during which the board deliberates to reach a decision or meetings of health regulatory boards or conference committees of such boards to consider settlement proposals in pending disciplinary actions or modifications to previously issued board orders as requested by either of the parties.

28. Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected locality or public entity, as those terms are defined in § 33.2-1800, or any independent review panel appointed to review information and advise the responsible public entity concerning such records.

29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

30. Discussion or consideration of grant or loan application information subject to the exclusion in subdivision 17 of § 2.2-3705.6 by (i) the Commonwealth Health Research Board or (ii) the

Innovation and Entrepreneurship Investment Authority or the Research and Technology Investment Advisory Committee appointed to advise the Innovation and Entrepreneurship Investment Authority.

31. Discussion or consideration by the Commitment Review Committee of information subject to the exclusion in subdivision 5 of § 2.2-3705.2 relating to individuals subject to commitment as sexually violent predators under Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.

32. Discussion or consideration of confidential proprietary information and trade secrets developed and held by a local public body providing certain telecommunication services or cable television services and subject to the exclusion in subdivision 18 of § 2.2-3705.6. However, the exemption provided by this subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et seq.).

33. Discussion or consideration by a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary information and trade secrets subject to the exclusion in subdivision 19 of § 2.2-3705.6.

34. Discussion or consideration by the State Board of Elections or local electoral boards of voting security matters made confidential pursuant to § 24.2-625.1.

35. Discussion or consideration by the Forensic Science Board or the Scientific Advisory Committee created pursuant to Article 2 (§ 9.1-1109 et seq.) of Chapter 11 of Title 9.1 of criminal investigative files subject to the exclusion in subdivision B 1 of § 2.2-3706.

36. Discussion or consideration by the Brown v. Board of Education Scholarship Committee of information or confidential matters subject to the exclusion in subdivision A 3 of § 2.2-3705.4, and meetings of the Committee to deliberate concerning the annual maximum scholarship award, review and consider scholarship applications and requests for scholarship award renewal, and cancel, rescind, or recover scholarship awards.

37. Discussion or consideration by the Virginia Port Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.6 related to certain proprietary information gathered by or for the Virginia Port Authority.

38. Discussion or consideration by the Board of Trustees of the Virginia Retirement System acting pursuant to § 51.1-124.30, by the Investment Advisory Committee appointed pursuant to § 51.1-124.26, by any local retirement system, acting pursuant to § 51.1-803, by the Board of the Virginia College Savings Plan acting pursuant to § 23.1-706, or by the Virginia College Savings Plan's Investment Advisory Committee appointed pursuant to § 23.1-702 of information subject to the exclusion in subdivision 24 of § 2.2-3705.7.

39. Discussion or consideration of information subject to the exclusion in subdivision 3 of § 2.2-3705.6 related to economic development.

40. Discussion or consideration by the Board of Education of information relating to the denial, suspension, or revocation of teacher licenses subject to the exclusion in subdivision 11 of § 2.2-3705.3.

41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by executive order for the purpose of studying and making recommendations regarding preventing closure or realignment of federal military and national security installations and

facilities located in Virginia and relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a local governing body, during which there is discussion of information subject to the exclusion in subdivision 8 of § 2.2-3705.2.

42. Discussion or consideration by the Board of Trustees of the Veterans Services Foundation of information subject to the exclusion in subdivision 28 of § 2.2-3705.7 related to personally identifiable information of donors.

43. Discussion or consideration by the Virginia Tobacco Region Revitalization Commission of information subject to the exclusion in subdivision 23 of § 2.2-3705.6 related to certain information contained in grant applications.

44. Discussion or consideration by the board of directors of the Commercial Space Flight Authority of information subject to the exclusion in subdivision 24 of § 2.2-3705.6 related to rate structures or charges for the use of projects of, the sale of products of, or services rendered by the Authority and certain proprietary information of a private entity provided to the Authority.

45. Discussion or consideration of personal and proprietary information related to the resource management plan program and subject to the exclusion in (i) subdivision 25 of § 2.2-3705.6 or (ii) subsection E of § 10.1-104.7. This exclusion shall not apply to the discussion or consideration of records that contain information that has been certified for release by the person who is the subject of the information or transformed into a statistical or aggregate form that does not allow identification of the person who supplied, or is the subject of, the information.

46. Discussion or consideration by the Board of Directors of the Virginia Alcoholic Beverage Control Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.3 related to investigations of applicants for licenses and permits and of licensees and permittees.

47. Discussion or consideration of grant or loan application records subject to the exclusion in subdivision 28 of § 2.2-3705.6 related to the submission of an application for an award from the Virginia Research Investment Fund pursuant to Article 8 (§ 23.1-3130 et seq.) of Chapter 31 of Title 23.1 or interviews of parties to an application by a reviewing entity pursuant to subsection D of § 23.1-3133 or by the Virginia Research Investment Committee.

48. Discussion or development of grant proposals by a regional council established pursuant to Article 26 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity Board.

49. Discussion or consideration of (i) individual sexual assault cases by a sexual assault team established pursuant to § 15.2-1627.4 or (ii) individual child abuse or neglect cases or sex offenses involving a child by a child abuse team established pursuant to § 15.2-1627.5.

50. Discussion or consideration by the Board of the Virginia Economic Development Partnership Authority, the Joint Legislative Audit and Review Commission, or any subcommittees thereof, of the portions of the strategic plan, marketing plan, or operational plan exempt from disclosure pursuant to subdivision 33 of § 2.2-3705.7.

51. Those portions of meetings of the subcommittee of the Board of the Virginia Economic Development Partnership Authority established pursuant to subsection F of § 2.2-2237.3 to review and discuss information received from the Virginia Employment Commission pursuant to subdivision C 2 of § 60.2-114.

B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the public body, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or motion that shall have its substance reasonably identified in the open meeting.

C. Public officers improperly selected due to the failure of the public body to comply with the other provisions of this section shall be de facto officers and, as such, their official actions are valid until they obtain notice of the legal defect in their election.

D. Nothing in this section shall be construed to prevent the holding of conferences between two or more public bodies, or their representatives, but these conferences shall be subject to the same procedures for holding closed meetings as are applicable to any other public body.

E. This section shall not be construed to (i) require the disclosure of any contract between the Department of Health Professions and an impaired practitioner entered into pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1 or (ii) require the board of directors of any authority created pursuant to the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), or any public body empowered to issue industrial revenue bonds by general or special law, to identify a business or industry to which subdivision A 5 applies. However, such business or industry shall be identified as a matter of public record at least 30 days prior to the actual date of the board's authorization of the sale or issuance of such bonds.

1968, c. 479, § 2.1-344; 1970, c. 456; 1973, c. 461; 1974, c. 332; 1976, cc. 467, 709; 1979, cc. 369, 684; 1980, cc. 221, 475, 476, 754; 1981, cc. 35, 471; 1982, cc. 497, 516; 1984, cc. 473, 513; 1985, c. 277; 1988, c. 891; 1989, cc. 56, 358, 478; 1990, cc. 435, 538; 1991, c. 708; 1992, c. 444; 1993, cc. 270, 499; 1995, c. 499; 1996, cc. 855, 862, 902, 905, 1046; 1997, cc. 439, 641, 785, 861; 1999, cc. 485, 518, 703, 726, 849, 867, 868; 2000, cc. 382, 400, 720, 1064; 2001, cc. 231, 844; 2002, cc. 87, 393, 455, 478, 499, 655, 715, 830; 2003, cc. 274, 291, 332, 618, 703; 2004, cc. 398, 690, 770; 2005, cc. 258, 411, 568; 2006, cc. 430, 499, 518, 560; 2007, cc. 133, 374, 566, 739; 2008, cc. 626, 633, 668, 721, 743; 2009, cc. 223, 325, 472, 765, 810, 827, 845; 2010, cc. 310, 630, 808; 2011, cc. 89, 111, 147, 536, 541, 816, 874; 2012, cc. 476, 507, 803, 835; 2013, cc. 571, 580, 695; 2014, c. 225; 2015, cc. 27, 38, 108, 169, 182, 549, 730; 2016, cc. 544, 620, 716, 724, 725, 775, 778, 779; 2017, cc. 587, 616, 778, 796, 804, 816, 824; 2018, cc. 48, 532, 533, 600, 829.

**§ 2.2-3712. Closed meetings procedures; certification of proceedings.**

A. No closed meeting shall be held unless the public body proposing to convene such meeting has taken an affirmative recorded vote in an open meeting approving a motion that (i) identifies the subject matter, (ii) states the purpose of the meeting as authorized in subsection A of § 2.2-3711 or other provision of law and (iii) cites the applicable exemption from open meeting requirements provided in subsection A of § 2.2-3711 or other provision of law. The matters contained in such motion shall be set forth in detail in the minutes of the open meeting. A general reference to the provisions of this chapter, the authorized exemptions from open meeting requirements, or the subject matter of the closed meeting shall not be sufficient to satisfy the requirements for holding a closed meeting.

B. The notice provisions of this chapter shall not apply to closed meetings of any public body held solely for the purpose of interviewing candidates for the position of chief administrative officer. Prior to any such closed meeting for the purpose of interviewing candidates, the public body shall announce in an open meeting that such closed meeting shall be held at a disclosed or



undisclosed location within 15 days thereafter.

C. The public body holding a closed meeting shall restrict its discussion during the closed meeting only to those matters specifically exempted from the provisions of this chapter and identified in the motion required by subsection A.

D. At the conclusion of any closed meeting, the public body holding such meeting shall immediately reconvene in an open meeting and shall take a roll call or other recorded vote to be included in the minutes of that body, certifying that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Any member of the public body who believes that there was a departure from the requirements of clauses (i) and (ii), shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place. The statement shall be recorded in the minutes of the public body.

E. Failure of the certification required by subsection D to receive the affirmative vote of a majority of the members of the public body present during a meeting shall not affect the validity or confidentiality of such meeting with respect to matters considered therein in compliance with the provisions of this chapter. The recorded vote and any statement made in connection therewith, shall upon proper authentication, constitute evidence in any proceeding brought to enforce the provisions of this chapter.

F. A public body may permit nonmembers to attend a closed meeting if such persons are deemed necessary or if their presence will reasonably aid the public body in its consideration of a topic that is a subject of the meeting.

G. A member of a public body shall be permitted to attend a closed meeting held by any committee or subcommittee of that public body, or a closed meeting of any entity, however designated, created to perform the delegated functions of or to advise that public body. Such member shall in all cases be permitted to observe the closed meeting of the committee, subcommittee or entity. In addition to the requirements of § 2.2-3707, the minutes of the committee or other entity shall include the identity of the member of the parent public body who attended the closed meeting.

H. Except as specifically authorized by law, in no event may any public body take action on matters discussed in any closed meeting, except at an open meeting for which notice was given as required by § 2.2-3707.

I. Minutes may be taken during closed meetings of a public body, but shall not be required. Such minutes shall not be subject to mandatory public disclosure.

1989, c. 358, § 2.1-344.1; 1999, cc. 703, 726; 2001, c. 844; 2012, c. 428; 2017, c. 616.

### **§ 2.2-3713. Proceedings for enforcement of chapter.**

A. Any person, including the attorney for the Commonwealth acting in his official or individual capacity, denied the rights and privileges conferred by this chapter may proceed to enforce such rights and privileges by filing a petition for mandamus or injunction, supported by an affidavit showing good cause. Such petition may be brought in the name of the person notwithstanding that a request for public records was made by the person's attorney in his representative capacity.

Venue for the petition shall be addressed as follows:

1. In a case involving a local public body, to the general district court or circuit court of the county or city from which the public body has been elected or appointed to serve and in which such rights and privileges were so denied;
2. In a case involving a regional public body, to the general district or circuit court of the county or city where the principal business office of such body is located; and
3. In a case involving a board, bureau, commission, authority, district, institution, or agency of the state government, including a public institution of higher education, or a standing or other committee of the General Assembly, to the general district court or the circuit court of the residence of the aggrieved party or of the City of Richmond.

B. In any action brought before a general district court, a corporate petitioner may appear through its officer, director or managing agent without the assistance of counsel, notwithstanding any provision of law or Rule of the Supreme Court of Virginia to the contrary.

C. Notwithstanding the provisions of § 8.01-644, the petition for mandamus or injunction shall be heard within seven days of the date when the same is made, provided the party against whom the petition is brought has received a copy of the petition at least three working days prior to filing. The hearing on any petition made outside of the regular terms of the circuit court of a locality that is included in a judicial circuit with another locality or localities shall be given precedence on the docket of such court over all cases that are not otherwise given precedence by law.

D. The petition shall allege with reasonable specificity the circumstances of the denial of the rights and privileges conferred by this chapter. A single instance of denial of the rights and privileges conferred by this chapter shall be sufficient to invoke the remedies granted herein. If the court finds the denial to be in violation of the provisions of this chapter, the petitioner shall be entitled to recover reasonable costs, including costs and reasonable fees for expert witnesses, and attorneys' fees from the public body if the petitioner substantially prevails on the merits of the case, unless special circumstances would make an award unjust. In making this determination, a court may consider, among other things, the reliance of a public body on an opinion of the Attorney General or a decision of a court that substantially supports the public body's position.

E. In any action to enforce the provisions of this chapter, the public body shall bear the burden of proof to establish an exclusion by a preponderance of the evidence. No court shall be required to accord any weight to the determination of a public body as to whether an exclusion applies. Any failure by a public body to follow the procedures established by this chapter shall be presumed to be a violation of this chapter.

F. Failure by any person to request and receive notice of the time and place of meetings as provided in § 2.2-3707 shall not preclude any person from enforcing his rights and privileges conferred by this chapter.

1968, c. 479, § 2.1-346; 1976, c. 709; 1978, c. 826; 1989, c. 358; 1990, c. 217; 1996, c. 578; 1999, cc. 703, 726; 2001, c. 844; 2007, c. 560; 2009, c. 634; 2010, c. 299; 2011, cc. 133, 783; 2016, cc. 620, 716.

## **§ 2.2-3714. Violations and penalties.**

In a proceeding commenced against any officer, employee, or member of a public body under § 2.2-3713 for a violation of § 2.2-3704, 2.2-3705.1 through 2.2-3705.7, 2.2-3706, 2.2-3707, 2.2-3708.2, 2.2-3710, 2.2-3711 or 2.2-3712, the court, if it finds that a violation was willfully and knowingly made, shall impose upon such officer, employee, or member in his individual capacity, whether a writ of mandamus or injunctive relief is awarded or not, a civil penalty of not less than \$500 nor more than \$2,000, which amount shall be paid into the State Literary Fund. For a second or subsequent violation, such civil penalty shall be not less than \$2,000 nor more than \$5,000.

1976, c. 467, § 2.1-346.1; 1978, c. 826; 1984, c. 252; 1989, c. 358; 1996, c. 578; 1999, cc. 703, 726; 2001, c. 844; 2003, c. 319; 2004, c. 690; 2008, cc. 233, 789; 2011, c. 327; 2017, c. 778; 2018, c. 55.



## Chapter 7. Virginia Public Records Act.

### § 42.1-76. Legislative intent; title of chapter.

The General Assembly intends by this chapter to establish a single body of law applicable to all public officers and employees on the subject of public records management and preservation and to ensure that the procedures used to manage and preserve public records will be uniform throughout the Commonwealth.

This chapter may be cited as the Virginia Public Records Act.

1976, c. 746.

### § 42.1-76.1. Notice of Chapter.

Any person elected, reelected, appointed, or reappointed to the governing body of any agency subject to this chapter shall (i) be furnished by the agency or public body's administrator or legal counsel with a copy of this chapter within two weeks following election, reelection, appointment, or reappointment and (ii) read and become familiar with the provisions of this chapter.

2006, c. 60.

### § 42.1-77. Definitions.

As used in this chapter:

"Agency" means all boards, commissions, departments, divisions, institutions, authorities, or parts thereof, of the Commonwealth or its political subdivisions and includes the offices of constitutional officers.

"Archival quality" means a quality of reproduction consistent with established standards specified by state and national agencies and organizations responsible for establishing such standards, such as the Association for Information and Image Management, the American National Standards Institute, and the National Institute of Standards and Technology.

"Archival record" means a public record of continuing and enduring value useful to the citizens of the Commonwealth and necessary to the administrative functions of public agencies in the conduct of services and activities mandated by law that is identified on a Library of Virginia approved records retention and disposition schedule as having sufficient informational value to be permanently maintained by the Commonwealth.

"Archives" means the program administered by The Library of Virginia for the preservation of archival records.

"Board" means the State Library Board.

"Conversion" means the act of moving electronic records to a different format, especially data from an obsolete format to a current format.

"Custodian" means the public official in charge of an office having public records.

"Disaster plan" means the information maintained by an agency that outlines recovery techniques and methods to be followed in case of an emergency that impacts the agency's

records.

"Electronic record" means a public record whose creation, storage, and access require the use of an automated system or device. Ownership of the hardware, software, or media used to create, store, or access the electronic record has no bearing on a determination of whether such record is a public record.

"Essential public record" means records that are required for recovery and reconstruction of any agency to enable it to resume its core operations and functions and to protect the rights and interests of persons.

"Librarian of Virginia" means the State Librarian of Virginia or his designated representative.

"Lifecycle" means the creation, use, maintenance, and disposition of a public record.

"Metadata" means data describing the context, content, and structure of records and their management through time.

"Migration" means the act of moving electronic records from one information system or medium to another to ensure continued access to the records while maintaining the records' authenticity, integrity, reliability, and usability.

"Original record" means the first generation of the information and is the preferred version of a record. Archival records should to the maximum extent possible be original records.

"Preservation" means the processes and operations involved in ensuring the technical and intellectual survival of authentic records through time.

"Private record" means a record that does not relate to or affect the carrying out of the constitutional, statutory, or other official ceremonial duties of a public official, including the correspondence, diaries, journals, or notes that are not prepared for, utilized for, circulated, or communicated in the course of transacting public business.

"Public official" means all persons holding any office created by the Constitution of Virginia or by any act of the General Assembly, the Governor and all other officers of the executive branch of the state government, and all other officers, heads, presidents or chairmen of boards, commissions, departments, and agencies of the state government or its political subdivisions.

"Public record" or "record" means recorded information that documents a transaction or activity by or with any public officer, agency or employee of an agency. Regardless of physical form or characteristic, the recorded information is a public record if it is produced, collected, received or retained in pursuance of law or in connection with the transaction of public business. The medium upon which such information is recorded has no bearing on the determination of whether the recording is a public record.

For purposes of this chapter, "public record" shall not include nonrecord materials, meaning materials made or acquired and preserved solely for reference use or exhibition purposes, extra copies of documents preserved only for convenience or reference, and stocks of publications.

"Records retention and disposition schedule" means a Library of Virginia-approved timetable stating the required retention period and disposition action of a records series. The administrative, fiscal, historical, and legal value of a public record shall be considered in appraising its appropriate retention schedule. The terms "administrative," "fiscal," "historical,"

and "legal" value shall be defined as:

1. "Administrative value": Records shall be deemed of administrative value if they have continuing utility in the operation of an agency.
2. "Fiscal value": Records shall be deemed of fiscal value if they are needed to document and verify financial authorizations, obligations, and transactions.
3. "Historical value": Records shall be deemed of historical value if they contain unique information, regardless of age, that provides understanding of some aspect of the government and promotes the development of an informed and enlightened citizenry.
4. "Legal value": Records shall be deemed of legal value if they document actions taken in the protection and proving of legal or civil rights and obligations of individuals and agencies.

1976, c. 746; 1977, c. 501; 1981, c. 637; 1987, c. 217; 1990, c. 778; 1994, cc. [390](#), [955](#); 1998, cc. [427](#), [470](#); 2005, c. [787](#); 2006, c. [60](#).

#### **§ 42.1-78. Confidentiality safeguarded.**

Any records made confidential by law shall be so treated. Records which by law are required to be closed to the public shall not be deemed to be made open to the public under the provisions of this chapter. Records in the custody of The Library of Virginia which are required to be closed to the public shall be open for public access 75 years after the date of creation of the record. No provision of this chapter shall be construed to authorize or require the opening of any records ordered to be sealed by a court. All records deposited in the archives that are not made confidential by law shall be open to public access.

1976, c. 746; 1979, c. 110; 1990, c. 778; 1994, c. [64](#); 2006, c. [60](#).

#### **§ 42.1-79. Records management function vested in The Library of Virginia.**

A. The archival and records management function shall be vested in The Library of Virginia. The Library of Virginia shall be the official custodian and trustee for the Commonwealth of all public records of whatever kind, and regardless of physical form or characteristics, that are transferred to it from any agency. As the Commonwealth's official repository of public records, The Library of Virginia shall assume ownership and administrative control of such records on behalf of the Commonwealth. The Library of Virginia shall own and operate any equipment necessary to manage and retain control of electronic archival records in its custody, but may, at its discretion, contract with third-party entities to provide any or all services related to managing archival records on equipment owned by the contractor, by other third parties, or by The Library of Virginia.

B. The Librarian of Virginia shall name a State Archivist who shall perform such functions as the Librarian of Virginia assigns.

C. Whenever legislation affecting public records management and preservation is under consideration, The Library of Virginia shall review the proposal and advise the General Assembly on the effects of its proposed implementation.

1976, c. 746; 1986, c. 565; 1990, c. 778; 1994, c. [64](#); 1998, c. [427](#); 2005, c. [787](#); 2006, c. [60](#).

#### **§ 42.1-79.1. Repealed.**

Repealed by Acts 2005, c. [787](#), cl. 2.

**§ 42.1-80. Repealed.**

Repealed by Acts 2003, c. 177.

**§ 42.1-82. Duties and powers of Library Board.**

A. The State Library Board shall:

1. Issue regulations concerning procedures for the disposal, physical destruction or other disposition of public records containing social security numbers. The procedures shall include all reasonable steps to destroy such documents by (i) shredding, (ii) erasing, or (iii) otherwise modifying the social security numbers in those records to make them unreadable or undecipherable by any means.

2. Issue regulations and guidelines designed to facilitate the creation, preservation, storage, filing, reformatting, management, and destruction of public records by agencies. Such regulations shall mandate procedures for records management and include recommendations for the creation, retention, disposal, or other disposition of public records.

B. The State Library Board may establish advisory committees composed of persons with expertise in the matters under consideration to assist the Library Board in developing regulations and guidelines.

1976, c. 746; 1977, c. 501; 1981, c. 637; 1990, c. 778; 1994, cc. 64, 955; 2003, cc. 914, 918; 2005, c. 787; 2006, c. 60.

**§ 42.1-83. Repealed.**

Repealed by Acts 2006, c. 60, cl. 2.

**§ 42.1-84. Repealed.**

Repealed by Acts 2005, c. 787, cl. 2.

**§ 42.1-85. Records Management Program; agencies to cooperate; agencies to designate records officer.**

A. The Library of Virginia shall administer a records management program for the application of efficient and economical methods for managing the lifecycle of public records consistent with regulations and guidelines promulgated by the State Library Board, including operation of a records center or centers. The Library of Virginia shall establish procedures and techniques for the effective management of public records, make continuing surveys of records and records keeping practices, and recommend improvements in current records management practices, including the use of space, equipment, software, and supplies employed in creating, maintaining, and servicing records.

B. Any agency with public records shall cooperate with The Library of Virginia in conducting surveys. Each agency shall establish and maintain an active, continuing program for the economical and efficient management of the records of such agency. The agency shall be responsible for ensuring that its public records are preserved, maintained, and accessible throughout their lifecycle, including converting and migrating electronic records as often as necessary so that information is not lost due to hardware, software, or media obsolescence or deterioration. Any public official who converts or migrates an electronic record shall ensure that it is an accurate copy of the original record. The converted or migrated record shall have the force of the original.

C. Each state agency and political subdivision of this Commonwealth shall designate as many as appropriate, but at least one, records officer to serve as a liaison to The Library of Virginia for the purposes of implementing and overseeing a records management program, and coordinating legal disposition, including destruction, of obsolete records. Designation of state agency records officers shall be by the respective agency head. Designation of a records officer for political subdivisions shall be by the governing body or chief administrative official of the political subdivision. Each entity responsible for designating a records officer shall provide The Library of Virginia with the name and contact information of the designated records officer, and shall ensure that such information is updated in a timely manner in the event of any changes.

D. The Library of Virginia shall develop and make available training and education opportunities concerning the requirements of and compliance with this chapter for records officers in the Commonwealth.

1976, c. 746; 1990, c. 778; 1994, c. 64; 1998, c. 427; 2006, c. 60.

**§ 42.1-86. Essential public records; security recovery copies; disaster plans.**

A. In cooperation with the head of each agency, The Library of Virginia shall establish and maintain a program for the selection and preservation of essential public records. The program shall provide for preserving, classifying, arranging, and indexing essential public records so that such records are made available to the public. The program shall provide for making recovery copies or designate as recovery copies existing copies of such essential public records.

B. Recovery copies shall meet quality standards established by The Library of Virginia and shall be made by a process that accurately reproduces the record and forms a durable medium. A recovery copy may also be made by creating a paper or electronic copy of an original electronic record. Recovery copies shall have the same force and effect for all purposes as the original record and shall be as admissible in evidence as the original record whether the original record is in existence or not. Recovery copies shall be preserved in the place and manner prescribed by the State Library Board and the Governor.

C. The Library of Virginia shall develop a plan to ensure preservation of public records in the event of disaster or emergency as defined in § 44-146.16. This plan shall be coordinated with the Department of Emergency Management and copies shall be distributed to all agency heads. The plan shall be reviewed and updated at least once every five years. The personnel of the Library shall be responsible for coordinating emergency recovery operations when public records are affected. Each agency shall ensure that a plan for the protection and recovery of public records is included in its comprehensive disaster plan.

1976, c. 746; 1980, c. 365; 1990, c. 778; 1994, c. 64; 1998, c. 427; 2005, c. 787; 2006, c. 60.

**§ 42.1-86.01. Records may be retained in electronic medium.**

Notwithstanding any provision of law requiring a public record to be retained in a tangible medium, an agency may retain any public record in an electronic medium, provided that the record remains accessible for the duration of its retention schedule and meets all other requirements of this chapter. Nothing herein shall affect any law governing the retention of exhibits received into evidence in a criminal case in any court.

2018, c. 252.

**§ 42.1-86.1. Disposition of public records.**

A. No agency shall sell or give away public records. No agency shall destroy or discard a public record unless (i) the record appears on a records retention and disposition schedule approved pursuant to § 42.1-82 and the record's retention period has expired; (ii) a certificate of records destruction, as designated by the Librarian of Virginia, has been properly completed and approved by the agency's designated records officer; and (iii) there is no litigation, audit, investigation, request for records pursuant to the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), or renegotiation of the relevant records retention and disposition schedule pending at the expiration of the retention period for the applicable records series. After a record is destroyed or discarded, the agency shall forward the original certificate of records destruction to The Library of Virginia.

B. No agency shall destroy any public record created before 1912 without first offering it to The Library of Virginia.

C. Each agency shall ensure that records created after July 1, 2006 and authorized to be destroyed or discarded in accordance with subsection A, are destroyed or discarded in a timely manner in accordance with the provisions of this chapter; provided, however, such records that contain identifying information as defined in clauses (iii) through (ix), or clause (xii) of subsection C of § 18.2-186.3, shall be destroyed within six months of the expiration of the records retention period.

1990, c. 778; 1998, c. 427; 2005, c. 787; 2006, cc. 60, 909.

**§ 42.1-87. Archival public records.**

A. Custodians of archival public records shall keep them in fire-resistant, environmentally controlled, physically secure rooms designed to ensure proper preservation and in such arrangement as to be easily accessible. Current public records should be kept in the buildings in which they are ordinarily used. It shall be the duty of each agency to consult with The Library of Virginia to determine the best manner in which to store long-term or archival electronic records. In entering into a contract with a third-party storage provider for the storage of public records, an agency shall require the third-party to cooperate with The Library of Virginia in complying with rules and regulations promulgated by the Board.

B. Public records deemed unnecessary for the transaction of the business of any state agency, yet deemed to be of archival value, may be transferred with the consent of the Librarian of Virginia to the custody of the Library of Virginia.

C. Public records deemed unnecessary for the transaction of the business of any county, city, or town, yet deemed to be of archival value, shall be stored either in The Library of Virginia or in the locality, at the decision of the local officials responsible for maintaining public records. Archival public records shall be returned to the locality upon the written request of the local officials responsible for maintaining local public records. Microfilm shall be stored in The Library of Virginia but the use thereof shall be subject to the control of the local officials responsible for maintaining local public records.

D. Record books deemed archival should be copied or repaired, renovated or rebound if worn, mutilated, damaged or difficult to read. Whenever the public records of any public official are in need of repair, restoration or rebinding, a judge of the court of record or the head of such agency or political subdivision of the Commonwealth may authorize that the records in need of repair be



removed from the building or office in which such records are ordinarily kept, for the length of time necessary to repair, restore or rebind them, provided such restoration and rebinding preserves the records without loss or damage to them. Before any restoration or repair work is initiated, a treatment proposal from the contractor shall be submitted and reviewed in consultation with The Library of Virginia. Any public official who causes a record book to be copied shall attest it and shall certify an oath that it is an accurate copy of the original book. The copy shall then have the force of the original.

E. Nothing in this chapter shall be construed to divest agency heads of the authority to determine the nature and form of the records required in the administration of their several departments or to compel the removal of records deemed necessary by them in the performance of their statutory duty.

1976, c. 746; 1994, cc. [64](#), [955](#); 2005, c. [787](#); 2006, c. [60](#).

**§ 42.1-88. Custodians to deliver all records at expiration of term; penalty for noncompliance.**

Any custodian of any public records shall, at the expiration of his term of office, appointment or employment, deliver to his successor, or, if there be none, to The Library of Virginia, all books, writings, letters, documents, public records, or other information, recorded on any medium kept or received by him in the transaction of his official business; and any such person who shall refuse or neglect for a period of ten days after a request is made in writing by the successor or Librarian of Virginia to deliver the public records as herein required shall be guilty of a Class 3 misdemeanor.

1976, c. 746; 1994, c. [64](#); 1998, c. [427](#).

**§ 42.1-89. Petition and court order for return of public records not in authorized possession.**

The Librarian of Virginia or his designated representative such as the State Archivist or any public official who is the custodian of public records in the possession of a person or agency not authorized by the custodian or by law to possess such public records shall petition the circuit court in the city or county in which the person holding such records resides or in which the materials in issue, or any part thereof, are located for the return of such records. The court shall order such public records be delivered to the petitioner upon finding that the materials in issue are public records and that such public records are in the possession of a person not authorized by the custodian of the public records or by law to possess such public records. If the order of delivery does not receive compliance, the plaintiff shall request that the court enforce such order through its contempt power and procedures.

1975, c. 180; 1976, c. 746; 1998, c. [427](#).

**§ 42.1-90. Seizure of public records not in authorized possession.**

A. At any time after the filing of the petition set out in § [42.1-89](#) or contemporaneous with such filing, the person seeking the return of the public records may by ex parte petition request the judge or the court in which the action was filed to issue an order directed at the sheriff or other proper officer, as the case may be, commanding him to seize the materials which are the subject of the action and deliver the same to the court under the circumstances hereinafter set forth.

B. The judge aforesaid shall issue an order of seizure upon receipt of an affidavit from the petitioner which alleges that the material at issue may be sold, secreted, removed out of this Commonwealth or otherwise disposed of so as not to be forthcoming to answer the final

judgment of the court respecting the same; or that such property may be destroyed or materially damaged or injured if permitted to remain out of the petitioner's possession.

C. The aforementioned order of seizure shall issue without notice to the respondent and without the posting of any bond or other security by the petitioner.

1975, c. 180; 1976, c. 746.

**§ 42.1-90.1. Auditing.**

The Librarian may, in his discretion, conduct an audit of the records management practices of any agency. Any agency subject to the audit shall cooperate and provide the Library with any records or assistance that it requests. The Librarian shall compile a written summary of the findings of the audit and any actions necessary to bring the agency into compliance with this chapter. The summary shall be a public record, and shall be made available to the agency subject to the audit, the Governor, and the chairmen of the House and Senate Committees on General Laws and the House Appropriations and Senate Finance Committees of the General Assembly.

2006, c. 60.

**§ 42.1-91. Repealed.**

Repealed by Acts 2006, c. 60, cl. 2.



**To:** Board of Supervisors  
**From:** Cathy Kuehner, director of public information  
**Re:** Clarke County, Virginia, wordmark logo  
**Date:** Jan. 7, 2019

The purpose of this agenda item is to select a new graphic design that will represent Clarke County online and in print in lieu of using the county seal.

The official County of Clarke seal is not a logo, although for years it has served as such in print and on all manner of merchandise. The official government seal — oval with cupola, plow, muzzle-loading powder horn, and founding year 1836 — should be used only by the Board of Supervisors, county administration and departments, constitutional offices, and courts and only on official government documents and for official government occasions.

Because the County of Clarke seal is not a logo, the county needs a “wordmark logo.”

Wordmark logos (or logotypes) are font-based graphics that focus on an entity’s name. Coca-Cola, Visa, and Google are good examples. The name is memorable so — when combined with strong typography — the wordmark logo reinforces brand recognition.

The Clarke County wordmark logo is designed for use on social media, websites, and anything imprinted with the Clarke County brand, including but not limited to staff apparel, county vehicles, economic development and marketing materials, etc. A graphics policy for staff will be written to clarify when and how to use the wordmark logo and official county seal.

Over time, the consistent use of the Clarke County wordmark logo will inspire a sense of place and pride among its residents.

In August 2018, graphic designer (and lifelong Clarke County resident) John Burns was commissioned to create a wordmark logo for the county.

**Wordmark logo design parameters:**

- Present “Clarke County” in fonts and colors that reflect the county’s commitment to its agriculture-based economy, historical resources, and natural resources.

- Reflect a 21st century aesthetic that says Clarke is looking forward.
- Include a tagline that reflects the county's respect for its past and plans for the future.
- Use green from county flag, which also suggests a rare and beautiful emerald.
- The wordmark logo needs to work in color, black-and-white, and reversed as well as printed small (for a business card) or large (for a banner).
- Horizontal and stacked versions of the wordmark logo are needed for different uses.
- The wordmark logo may also drive official county typefaces and colors.
- Avoid cliché images of jagged mountain peaks that appear in other regional logos.

Mr. Burns first submitted a number of rough pencil sketches, so he and Director of Public Information Cathy Kuehner could hone in on the ideal components.

This packet contains five (5) versions of a Clarke County wordmark logo. Each version is presented in color, black-and-white, and reverse, as well as horizontal and stacked.

The county seal and wordmark logo are designed to be the only graphics that officially represent Clarke County, though the official County of Clarke seal will no longer be used as a casual logo or brand identifier.

Staff recommends the Board review the graphic design options presented here, and choose one as the new Clarke County wordmark logo.



















MEMORANDUM

TO: Board of Supervisors

FR: Thomas Judge, Director of Joint Administrative Services

DT: 1/15/2019

RE: *January Finance Report*

1. **Sheriff's FY 20 Budget Request.** Sheriff Roper presented the department's FY 20 budget request. A copy of this presentation is available on request.
2. **106 North Church Lease Agreement.** Discussion of this matter is deferred to a later date.
3. **Bank Reconciliation Update.** Clarke staff and an outside accounting firm have reconciled the general ledger for FY 17 and FY 18 to the bank, by identifying and booking differences to within a range deemed immaterial by Robinson, Farmer, and Cox. The final report on this from Mary Earhart is forthcoming.
4. **FY 18 Fund Balance Designation Adjustment.** The bank reconciliation identified additional fund balance. The Finance Committee has reviewed the fund balance designations as of June 30, 2018 in light of these additional funds and has proposed modifying the designations adopted by the Board of Supervisors in December per the attached.

*"Be it resolved that the FY 18 year end fund balance designations be established per the attached document."*

5. **School Supplemental.** The Finance Committee recommends that public hearing be set for February 19 on the following matter:

*"Be it resolved that FY 19 School Capital Projects budgeted expenditure and appropriation be increased \$287,758, and be it further resolved that the designation of general fund balance for School Operating carryover be decreased in the same amount, all for the purpose of funding the capital projects request approved by the School Board at their December meeting."*

6. **Bills and Claims.** This is recommended for approval.
7. **Standing Reports.** See Reconciliation of Appropriations and Capital Budget attached.



|  | Finance Comm  |                 |                  |
|--|---------------|-----------------|------------------|
|  | <u>PRIOR</u>  | <u>PROPOSED</u> |                  |
| General Fund Balance   | 11,006,186    | 11,556,252      |                  |
| <u>Designations</u>  |               |                 |                  |
| Liquidity Designation @ 12% of FY 19 Budgeted Operating Revenue    | (\$3,518,828) | (\$3,518,828)   |                  |
| Stabilization Designation @ 3% of FY 19 Budgeted Operating Revenue | (879,707)     | (879,707)       |                  |
| Continuing Local GF Appropriations for Capital Projects            | (3,347,526)   | (3,347,526)     |                  |
| Conservation Easements from Government Savings                     | (150,000)     | (167,938)       | (\$17,938)       |
| School Operating Transfer  | (305,887)     | (392,979)       | (\$87,092)       |
| Comprehensive Services Act Shortfall                               | (300,000)     | (300,000)       |                  |
| Parks Master Plan  | (130,000)     | (130,000)       |                  |
| Emergency Vehicles   | (50,000)      | (75,000)        | (\$25,000)       |
| Government Savings (GenGov, JAS, DSS)                              | (500,000)     | (500,000)       |                  |
| Data and Communications Technology                                 | (150,000)     | (600,000)       | (\$450,000)      |
| Leave Liability  | (300,000)     | (300,000)       |                  |
| Community Facilities   | (300,000)     | (350,000)       | (\$50,000)       |
| Economic Development   | (100,000)     | (150,000)       | (\$50,000)       |
| FY 18/19 Original Budget Surplus (Deficit)                         | (339,590)     | (339,590)       |                  |
| TOTAL Designations   | (10,371,538)  | (11,051,568)    |                  |
| <br>   |               |                 |                  |
| FY 18/19 Supplemental Expenditure                                  | (336,614)     |                 |                  |
| FY 18/19 Supplemental Revenue                                      | 185,233       |                 |                  |
| <br>   |               |                 |                  |
| Undesignated With FY 19 Supplementals                              | 483,267       | 504,684         | On June 30, 2018 |

## Clarke County Public Schools

Dr. Chuck Bishop  
Superintendent

317 West Main Street  
Berryville, Virginia 22611  
Phone: 540-955-6100  
Fax: 540-955-6109  
www.clarke.k12.va.us

Dr. Cathy Seal  
Director of Curriculum and Instruction

Rick Catlett  
Assistant Superintendent

Randy Trenary  
Director of Operations

*"Encourage Inspire Empower"*

---

To: CCPS Finance Committee

From: Dr. Chuck Bishop  
Division Superintendent

CS

Date: December 12, 2018

Re: FY18 Fund Balance Re-appropriation

Each year, the Clarke County School Board has the opportunity to request the re-appropriation of year-end operating fund balance to designated capital accounts. Once the School Board has considered, discussed and approved the recommendation of the Division Superintendent, the request is then forwarded to the Clarke County Board of Supervisors for consideration. Based on feedback from the Finance Department, the FY18 operating fund balance stands at approximately \$287,758.

In determining this year's priorities, district administrative staff was asked to provide suggestions based on identified needs in their respective area of responsibility. As in past years, it will remain a priority to keep the building systems in excellent condition. This includes all mechanical systems as well as the roof at each school. Additionally, staff will continue to place a high priority on school safety items.

Please find attached my recommendations for the re-appropriation of the FY18 operating fund balance.

School Carryover Request  
 Carryover from FY18 to FY19

| Account Number                  | Re-allocation Amount<br>from FY18 Fund<br>Balance | Notes  |
|---------------------------------|---|--|
| 30201110/Furniture              | \$25,000  | Furniture replacements and additions in each building.   |
| 30201140/Athletics              | \$18,758  | Equipment reconditioning, stadium improvements   |
| 30203500/Bus                    | \$49,000  | Replacement bus  |
| 30203700/Vehicles               | \$25,000  | Purchase of a van for daily transportation needs and an equipment trailer  |
| 30205100/Food Service           | \$15,000  | Repair and replacement of equipment when needed  |
| 30206223/Fencing                | \$25,000  | Repair and replace fencing as needed   |
| 30206250/Fields and Playgrounds | \$50,000  | Feltner stadium field work and playground equipment  |
| 30206616/HVAC                   | \$60,000  | Continuing to repair HVAC equipment throughout the division. Begin planning for building automation system implementation. |
| 30206645/Security               | \$20,000  | Funds to purchase crisis management equipment, repair and replace cameras, radio replacements                              |
|                                 | <b>\$287,758</b>                                  |  |

Clarke County  
 Invoice History Report  
 December 31, 2018

| <u>VENDOR NAME</u>                | <u>ACCOUNT DESC</u>            | <u>FULL DESC</u>                                   | <u>INVOICE DATE</u> | <u>AMOUNT</u>   |
|-----------------------------------|--------------------------------|--|---------------------|-----------------|
| Amazon Acct                       | County Adm Materials &Supplies | First Aid Kits                                     | 10/19/2018          | 214.50          |
| Amazon Acct                       | Treasurer Materials & Supplies | Supaclips  | 10/16/2018          | 2.64            |
| Amazon Acct                       | District C Materials & Supplie | First Aid Kits                                     | 10/19/2018          | 1,284.94        |
| Amazon Acct                       | Clk of CC Materials & Supplies | First Aid Kits                                     | 10/19/2018          | 650.00          |
| Amazon Acct                       | Comm Atty Materials & Supplies | First Aid Kit                                      | 10/26/2018          | 23.69           |
| Amazon Acct                       | Comm Atty Materials & Supplies | Desk Organizer                                     | 10/24/2018          | 239.40          |
| Amazon Acct                       | Sheriff Police Supplies        | Replacement AED Pads                               | 10/31/2018          | 1.52            |
| Amazon Acct                       | Sheriff Police Supplies        | Ear Piece for SRO                                  | 10/31/2018          | 12.00           |
| Amazon Acct                       | Sheriff Office Supplies        | 2019 Calendar Refill - Mason                       | 11/02/2018          | 40.00           |
| Amazon Acct                       | Sheriff Uniform Sworn Staff    | CLOTHING: UNIFORM                                  | 10/13/2018          | 47.56           |
| Amazon Acct                       | AnimalCtrl Materials & Supplie | First Aid Kits                                     | 10/26/2018          | 19.04           |
| Amazon Acct                       | Maintenanc Materials & Supplie | First Aid Kits                                     | 10/19/2018          | 28.07           |
| Amazon Acct                       | JAS Inventory -Mtls & Supplies | Central Store Supplies                             | 10/31/2018          | 52.81           |
| Amazon Acct                       | Finance Materials & Supplies   | First Aid Kits                                     | 10/19/2018          | 162.50          |
| <b>Amazon Acct Total</b>          |                                |  |                     | <b>2,778.67</b> |
| Anderson Control                  | Maintenanc Purchased Services  | rm Anderson C ACO alarm monitoring                 | 12/10/2018          | 10.12           |
| Anderson Control                  | Maintenanc Purchased Services  | rm Anderson C 524 Westwood Rd fire alarm monitorin | 12/10/2018          | 8.00            |
| <b>Anderson Control Total</b>     |                                |  |                     | <b>18.12</b>    |
| Arnett, Betsy                     | HstPrvCom Board Member Fees    | Attd @ HPC 11-28-18 mtg                            | 12/06/2018          | 53.78           |
| <b>Arnett, Betsy Total</b>        |                                |  |                     | <b>53.78</b>    |
| At&t                              | Sheriff Telephone              | Monthly Statement                                  | 12/01/2018          | 1,150.00        |
| <b>At&amp;t Total</b>             |                                |  |                     | <b>1,150.00</b> |
| Attic Promotions                  | Parks Adm Clothing             | employee shirts                                    | 11/29/2018          | 4.25            |
| Attic Promotions                  | Programs Clothing              | employee shirts                                    | 11/28/2018          | 4.00            |
| <b>Attic Promotions Total</b>     |                                |  |                     | <b>8.25</b>     |
| BB&T                              | BoS Travel                     | brt Bld Dept, Co Admin, and IT                     | 12/10/2018          | 198.08          |
| BB&T                              | BoS Miscellaneous Expenditures | brt Bld Dept, Co Admin, and IT                     | 12/10/2018          | 200.00          |
| BB&T                              | County Adm Purchased Svcs      | brt Bld Dept, Co Admin, and IT                     | 12/10/2018          | 822.51          |
| BB&T                              | County Adm Dues Subscr & Memb  | brt Bld Dept, Co Admin, and IT                     | 12/10/2018          | 127.00          |
| BB&T                              | County Adm Materials &Supplies | brt Bld Dept, Co Admin, and IT                     | 12/10/2018          | 299.90          |
| BB&T                              | IT Materials & Supplies        | brt Bld Dept, Co Admin, and IT                     | 12/10/2018          | 226.40          |
| BB&T                              | Sheriff Travel - Sworn Staff   | Lawful Employment Class - Putnam and Rose          | 12/10/2018          | 1,549.39        |
| BB&T                              | Sheriff Travel - Sworn Staff   | Monthly Statement                                  | 12/12/2018          | 165.64          |
| BB&T                              | Sheriff Dues Subscr & Memb     | Monthly Statement                                  | 12/10/2018          | 2,311.06        |
| BB&T                              | Sheriff Materials & Supplies   | Credit for fraud charges already taken before      | 11/09/2018          | 690.00          |
| BB&T                              | Sheriff Police Supplies        | Monthly Statement                                  | 12/12/2018          | 99.40           |
| BB&T                              | Sheriff Office Supplies        | Monthly Statement                                  | 12/12/2018          | 180.00          |
| BB&T                              | Sheriff Uniform Communications | Monthly Statement                                  | 12/10/2018          | 4.08            |
| BB&T                              | Sheriff Uniform Communications | Uniforms   | 12/10/2018          | 4.00            |
| BB&T                              | EMS Materials & Supplies       | Fire & EMS BBT credit card purchases Dec 2018      | 12/10/2018          | 150.00          |
| BB&T                              | Bldg Insp Travel               | brt Bld Dept, Co Admin, and IT                     | 12/10/2018          | 120.54          |
| BB&T                              | Bldg Insp Materials & Supplies | brt Bld Dept, Co Admin, and IT                     | 12/10/2018          | 56.90           |
| BB&T                              | AnimalCtrl Materials & Supplie | rm BB&T Credit Card Charges 11/09/18-12/09/18      | 12/10/2018          | 47.56           |
| BB&T                              | Maintenanc Materials & Supplie | rm BB&T Credit Card Charges 11/09/18-12/09/18      | 12/10/2018          | 93.00           |
| BB&T                              | Programs Materials & Supplies  | supplies   | 12/04/2018          | 4.00            |
| BB&T                              | Econ Dev Purchased Services    | brt Bld Dept, Co Admin, and IT                     | 12/10/2018          | 59.33           |
| BB&T                              | LEMPG Grant                    | Fire & EMS BBT credit card purchases Dec 2018      | 12/10/2018          | 344.77          |
| BB&T                              | Sheriff Materials & Supplies   | Monthly Statement                                  | 12/12/2018          | 3.25            |
| BB&T                              | Citizens Convenience Ctr       | rm BB&T Credit Card Charges 11/09/18-12/09/18      | 12/10/2018          | 81.38           |
| <b>BB&amp;T Total</b>             |                                |  |                     | <b>7,838.19</b> |
| Ben Jenkins                       | Sheriff Travel - Sworn Staff   | Airfare for Chaplain Conference                    | 12/20/2018          | 23.78           |
| <b>Ben Jenkins Total</b>          |                                |  |                     | <b>23.78</b>    |
| Berryville Auto Part              | Sheriff Purchased Services     | CCSO Vehicle Repair                                | 12/10/2018          | 327.31          |
| Berryville Auto Part              | Sheriff Purchased Services     | CCSO Vehicle Repair - 1401                         | 12/10/2018          | 21.75           |
| Berryville Auto Part              | Sheriff Purchased Services     | CCSO Vehicle Repair - 1302                         | 12/17/2018          | 12.86           |
| Berryville Auto Part              | Sheriff Vehicle Repair Parts   | CCSO Vehicle Repair                                | 12/10/2018          | 16.00           |
| Berryville Auto Part              | Sheriff Vehicle Repair Parts   | CCSO Vehicle Repair - 1401                         | 12/10/2018          | 29.77           |
| Berryville Auto Part              | Sheriff Vehicle Repair Parts   | CCSO Vehicle Repair - 1302                         | 12/17/2018          | 26.77           |
| Berryville Auto Part              | Maintenanc Materials & Supplie | rm BAP Maint 97 Ford Service and state inspec      | 12/06/2018          | 20.50           |
| Berryville Auto Part              | Maintenanc Materials & Supplie | rm BAP ACO Service and State Inspec on van         | 12/07/2018          | 327.31          |
| Berryville Auto Part              | Maintenanc Materials & Supplie | rm BAP Maint 2017 Ford Servie and State Inspect    | 12/10/2018          | 40.00           |
| Berryville Auto Part              | Maintenanc Materials & Supplie | rm BAP Pool extension 1/2 skt                      | 12/05/2018          | 40.00           |
| <b>Berryville Auto Part Total</b> |                                |  |                     | <b>862.27</b>   |
| Berryville True Valu              | Maintenanc Materials & Supplie | rm BH Maint white enamel                           | 11/28/2018          | 40.00           |
| Berryville True Valu              | Maintenanc Materials & Supplie | rm BH Maint Truck blast file                       | 12/11/2018          | 66.69           |

Clarke County  
Invoice History Report  
December 31, 2018

| <u>VENDOR NAME</u>                | <u>ACCOUNT DESC</u>            | <u>FULL DESC</u>                                 | <u>INVOICE DATE</u> | <u>AMOUNT</u>    |
|-----------------------------------|--------------------------------|--|---------------------|------------------|
| Berryville True Valu              | JGC Maintenanc Materials & Sup | rm BH 101 Chalmers Ct picture hangers            | 12/10/2018          | 225.00           |
| Berryville True Valu              | Maintenanc Materials & Supplie | rm BH ACO coupling                               | 12/12/2018          | 120.00           |
| Berryville True Valu              | Maintenanc Materials & Supplie | rm BH Rec Center heating cable                   | 11/29/2018          | 10,268.18        |
| Berryville True Valu              | Maintenanc Materials & Supplie | rm BH Rec Center general fastners                | 12/03/2018          | 90.46            |
| Berryville True Valu              | Maintenanc Materials & Supplie | rm BH Pool antifreeze                            | 12/03/2018          | 27.62            |
| Berryville True Valu              | Citizens Convenience Ctr       | rm BH CCCC flat washers                          | 12/18/2018          | 1,121.96         |
| Berryville True Valu              | Maintenanc Materials & Supplie | rm BH 101 Chalmers Ct picture hangers            | 12/10/2018          | 294.16           |
| <b>Berryville True Valu Total</b> |                                |  |                     | <b>12,254.07</b> |
| Blossman Gas, Inc.                | Maintenanc Heating             | rm Blossman ACO Lp Gas                           | 11/20/2018          | 2,380.50         |
| Blossman Gas, Inc.                | Maintenanc Heating             | rm Blossman ACO Ip gas                           | 11/11/2018          | 283.48           |
| Blossman Gas, Inc.                | Maintenanc Heating             | rm Blossman ACO Ip gas heat                      | 12/14/2018          | 18.00            |
| Blossman Gas, Inc.                | Maintenanc Heating             | rm Blossman ACO LP Gas                           | 11/25/2018          | 344.40           |
| <b>Blossman Gas, Inc. Total</b>   |                                |  |                     | <b>3,026.38</b>  |
| Blue Sky Towers                   | Sheriff Leases & Rentals       | Tower, Transmittal, 12/01-01/01                  | 12/01/2018          | 89.00            |
| <b>Blue Sky Towers Total</b>      |                                |  |                     | <b>89.00</b>     |
| Bottom Line Telecomm              | Tk Improve Capital Outlay Repl | IP Phones  | 09/07/2018          | 450.00           |
| <b>Bottom Line Telecomm Total</b> |                                |  |                     | <b>450.00</b>    |
| Bouffault, Robina                 | Plan Com Board Member Fees     | Attd @ PC Dec mtgs                               | 12/12/2018          | 373.50           |
| <b>Bouffault, Robina Total</b>    |                                |  |                     | <b>373.50</b>    |
| Broy & Son Pump                   | JGC Maintenanc Purchased Servi | rm Broy & Son 101 Chalmers Town drain stopped up | 11/27/2018          | 33.55            |
| Broy & Son Pump                   | Maintenanc Purchased Services  | rm Broy&Son Park Winterize Park                  | 11/27/2018          | 356.70           |
| Broy & Son Pump                   | Maintenanc Purchased Services  | rm Broy & Son 101 Chalmers Town drain stopped up | 11/27/2018          | 128.92           |
| <b>Broy &amp; Son Pump Total</b>  |                                |  |                     | <b>519.17</b>    |
| Buckley, Randy                    | Plan Com Board Member Fees     | Attd @ PC 12-4-18 mtg                            | 12/12/2018          | 24.98            |
| <b>Buckley, Randy Total</b>       |                                |  |                     | <b>24.98</b>     |
| Caldwell, Anne                    | Plan Com Board Member Fees     | Attd @ PC Dec mtgs                               | 12/12/2018          | 845.12           |
| Caldwell, Anne                    | HstPrvCom Board Member Fees    | Attd @ HPC 11-28-18 mtg                          | 12/06/2018          | 36.65            |
| <b>Caldwell, Anne Total</b>       |                                |  |                     | <b>881.77</b>    |
| Capelli, Len                      | Econ Dev Purchased Services    | lbw Pd 11 10-22 thru 11-30                       | 12/06/2018          | 122.59           |
| Capelli, Len                      | Econ Dev Local Mileage         | lbw SVTP Monthly Meeting Harrisonburg            | 12/07/2018          | 20.94            |
| <b>Capelli, Len Total</b>         |                                |  |                     | <b>143.53</b>    |
| Cardillo, Robin Couc              | Cnsrv Esmt Donation- Purch Svc | Year end appeal ltr and thank-you ltrs & postage | 12/05/2018          | 22.34            |
| <b>Cardillo, Robin Couc Total</b> |                                |  |                     | <b>22.34</b>     |
| Carter, Page                      | HstPrvCom Board Member Fees    | Attd @ HPC 11-28-18 mtg                          | 12/06/2018          | 22.34            |
| <b>Carter, Page Total</b>         |                                |  |                     | <b>22.34</b>     |
| Central Shenandoah P              | Econ Dev Dues Subscr & Memb    | brt Econ Dev Farm to Fork                        | 11/30/2018          | 84.00            |
| <b>Central Shenandoah P Total</b> |                                |  |                     | <b>84.00</b>     |
| Certified Labs                    | Maintenanc Materials & Supplie | rm Certified Lab Maint Free aerosol              | 12/08/2018          | 1,756.25         |
| <b>Certified Labs Total</b>       |                                |  |                     | <b>1,756.25</b>  |
| Chatman, Stacey                   | Programs Purchased Services    | contracted employee                              | 12/17/2018          | 78.94            |
| <b>Chatman, Stacey Total</b>      |                                |  |                     | <b>78.94</b>     |
| Chief Supply Corp                 | Sheriff Uniform Sworn Staff    | duty belt  | 12/04/2018          | 118.46           |
| Chief Supply Corp                 | Sheriff Uniform Sworn Staff    | Boots  | 12/05/2018          | 21.29            |
| Chief Supply Corp                 | Sheriff Uniform Sworn Staff    | Duty Rig   | 12/07/2018          | 39.25            |
| Chief Supply Corp                 | Sheriff Uniform Sworn Staff    | Cuffs  | 12/12/2018          | 306.25           |
| Chief Supply Corp                 | Sheriff Uniform Sworn Staff    | Duty Belt / Belt Keepers                         | 12/12/2018          | 49.85            |
| <b>Chief Supply Corp Total</b>    |                                |  |                     | <b>535.10</b>    |
| Clarke County Health              | Programs Dues Subscr & Memb    | tb test  | 12/03/2018          | 34.68            |
| <b>Clarke County Health Total</b> |                                |  |                     | <b>34.68</b>     |
| Comcast                           | IT Telecomm Online Tech        | Government                                       | 12/19/2018          | 63.74            |
| <b>Comcast Total</b>              |                                |  |                     | <b>63.74</b>     |
| ComputerPlus                      | IT Maint Contracts             | IBM Hardware Support-AS400 January               | 12/01/2018          | 53.00            |
| <b>ComputerPlus Total</b>         |                                |  |                     | <b>53.00</b>     |
| County of Frederick               | RefuseDisp Intergov Svc Agreem | Refuse   | 12/04/2018          | 106.00           |
| County of Frederick               | RefuseDisp Intergov Svc Agreem | refuse   | 12/04/2018          | 272.50           |
| <b>County of Frederick Total</b>  |                                |  |                     | <b>378.50</b>    |
| Crossroads Counselin              | CSA Srvc 3 NoManCom            | Mentoring services                               | 11/30/2018          | 2,007.42         |
| <b>Crossroads Counselin Total</b> |                                |  |                     | <b>2,007.42</b>  |
| Dehaven Berkeley                  | Comm Atty Materials & Supplies | Water Bill December                              | 12/12/2018          | 46.61            |
| Dehaven Berkeley                  | Sheriff Mtls & Supplies Commun | Water  | 12/12/2018          | 176.40           |
| <b>Dehaven Berkeley Total</b>     |                                |  |                     | <b>223.01</b>    |
| DMV                               | Treasurer DMV Stop             | DMV Stops - November 2018                        | 11/30/2018          | 594.02           |
| <b>DMV Total</b>                  |                                |  |                     | <b>594.02</b>    |
| Eggleton, Marie                   | VictimWit Travel               | Reimburse travel expense 12/02/18                | 12/10/2018          | 26.00            |
| <b>Eggleton, Marie Total</b>      |                                |  |                     | <b>26.00</b>     |

Clarke County  
 Invoice History Report  
 December 31, 2018

| <u>VENDOR NAME</u>                | <u>ACCOUNT DESC</u>            | <u>FULL DESC</u>                                   | <u>INVOICE DATE</u> | <u>AMOUNT</u>     |
|-----------------------------------|--------------------------------|--|---------------------|-------------------|
| Fop Lodge 12                      | Sheriff Dues Subser & Memb     | FOP Dues   | 12/11/2018          | 58.67             |
| <b>Fop Lodge 12 Total</b>         |                                |  |                     | <b>58.67</b>      |
| Frederick-Winchester              | Sanitation Intergov Svc Agreem | November 2018                                      | 12/12/2018          | 133,250.00        |
| <b>Frederick-Winchester Total</b> |                                |  |                     | <b>133,250.00</b> |
| Friends of the Shena              | Friends of Shenandoah Contr    | FY19 Allocation                                    | 12/13/2018          | 4.00              |
| <b>Friends of the Shena Total</b> |                                |  |                     | <b>4.00</b>       |
| Galls/Best Uniforms               | Sheriff Uniform Sworn Staff    | shirts   | 11/23/2018          | 6.42              |
| Galls/Best Uniforms               | Sheriff Uniform Sworn Staff    | Shirts   | 11/23/2018          | 8.00              |
| Galls/Best Uniforms               | Sheriff Uniform Sworn Staff    | shirts, pants, ties                                | 11/29/2018          | 148.00            |
| <b>Galls/Best Uniforms Total</b>  |                                |  |                     | <b>162.42</b>     |
| GCA                               | Maintenanc Custodial Contracts | rm GCA County Cleaning Service Dec 2018            | 12/01/2018          | 58.70             |
| GCA                               | JGC Maintenanc Custodial Contr | rm GCA County Cleaning Service Dec 2018            | 12/01/2018          | 44.74             |
| GCA                               | Maintenanc Custodial Contracts | rm GCA County Cleaning Service Dec 2018            | 12/01/2018          | 104.31            |
| GCA                               | Maintenanc Custodial Contracts | rm GCA County Cleaning Service Dec 2018            | 12/01/2018          | 32.50             |
| <b>GCA Total</b>                  |                                |  |                     | <b>240.25</b>     |
| Global Industrial In              | Rec Center Materials & Supplie | supplies   | 10/19/2018          | 32.50             |
| <b>Global Industrial In Total</b> |                                |  |                     | <b>32.50</b>      |
| Glover, Robert P.                 | Plan Com Board Member Fees     | Attd @ PC Dec mtgs                                 | 12/12/2018          | 32.50             |
| <b>Glover, Robert P. Total</b>    |                                |  |                     | <b>32.50</b>      |
| Gray, Ginger                      | Programs Purchased Services    | contracted employee                                | 12/03/2018          | 568.28            |
| Gray, Ginger                      | Programs Purchased Services    | contracted employee                                | 12/17/2018          | 1.67              |
| <b>Gray, Ginger Total</b>         |                                |  |                     | <b>569.95</b>     |
| Greatscapes                       | Maintenanc Purchased Services  | rm GreatScapes Gov 102 Complex clean up            | 12/01/2018          | 41.03             |
| <b>Greatscapes Total</b>          |                                |  |                     | <b>41.03</b>      |
| Grubb, Kristen                    | Programs Purchased Services    | contracted employee                                | 12/17/2018          | 47.56             |
| <b>Grubb, Kristen Total</b>       |                                |  |                     | <b>47.56</b>      |
| Hall, Monahan                     | Legal Svc Purchased Svcs       | lbw PA, P&R, BP Lot 18 12-2018                     | 12/05/2018          | 427.49            |
| Hall, Monahan                     | Plan Adm Purchased Services    | lbw PA, P&R, BP Lot 18 12-2018                     | 12/05/2018          | 76.88             |
| <b>Hall, Monahan Total</b>        |                                |  |                     | <b>504.37</b>     |
| Intensive Supervisio              | CSA Srvc 3 NoManCom            | In home counseling                                 | 12/03/2018          | 40.00             |
| <b>Intensive Supervisio Total</b> |                                |  |                     | <b>40.00</b>      |
| Jean Sutton                       | Rev Rf Ambulance Svcs Refunds  | EMS Refund-Insurance Overpayment                   | 12/14/2018          | 714.14            |
| <b>Jean Sutton Total</b>          |                                |  |                     | <b>714.14</b>     |
| Johnston, Jane                    | Programs Purchased Services    | contracted employee                                | 12/03/2018          | 543.30            |
| Johnston, Jane                    | Programs Purchased Services    | contracted employee                                | 12/17/2018          | 2,616.49          |
| <b>Johnston, Jane Total</b>       |                                |  |                     | <b>3,159.79</b>   |
| Kalbian, Maral                    | HstPrvCom Purchased Services   | Consulting Services                                | 12/05/2018          | 751.00            |
| Kalbian, Maral                    | Joseph Sch Roof-Cap Outlay     | Josephine City School Museum Roof Project          | 12/03/2018          | 3,366.23          |
| <b>Kalbian, Maral Total</b>       |                                |  |                     | <b>4,117.23</b>   |
| Kelli Hess                        | Rev Rf Ambulance Svcs Refunds  | EMS Refund-Insurance Overpayment                   | 12/14/2018          | 0.72              |
| <b>Kelli Hess Total</b>           |                                |  |                     | <b>0.72</b>       |
| KNS Technologies                  | Econ Dev Maint Svc Contracts   | Website Maintenance December                       | 12/03/2018          | 41.03             |
| <b>KNS Technologies Total</b>     |                                |  |                     | <b>41.03</b>      |
| Language Line Servic              | Sheriff Purchased Services     | Monthly Statement                                  | 11/30/2018          | 23.78             |
| <b>Language Line Servic Total</b> |                                |  |                     | <b>23.78</b>      |
| Lee, Frank                        | Plan Com Board Member Fees     | Attd @ PC Dec mtgs                                 | 12/12/2018          | 184.95            |
| <b>Lee, Frank Total</b>           |                                |  |                     | <b>184.95</b>     |
| LexisNexis                        | BoS Materials & Supplies       | lbw VA CODE RULES VII 11/18 SUPP                   | 11/06/2018          | 254.30            |
| LexisNexis                        | Clk of CC Materials & Supplies | va law of evidence 8th edition                     | 11/16/2018          | 54.71             |
| LexisNexis                        | Comm Atty Materials & Supplies | VA Law of Evidence 8th Edition                     | 12/10/2018          | 50.33             |
| <b>LexisNexis Total</b>           |                                |  |                     | <b>359.34</b>     |
| Logan Systems Inc                 | Clk of CC Microfilming         | computer indexing                                  | 12/15/2018          | 3.69              |
| <b>Logan Systems Inc Total</b>    |                                |  |                     | <b>3.69</b>       |
| Lopez, Carlos                     | Sheriff Purchased Services     | Interpreter services                               | 11/07/2018          | 13.99             |
| <b>Lopez, Carlos Total</b>        |                                |  |                     | <b>13.99</b>      |
| Lord Fairfax Health               | Local Health Dept Contribution | 3rd Qtr commitment 2019                            | 12/18/2018          | 1,046.80          |
| <b>Lord Fairfax Health Total</b>  |                                |  |                     | <b>1,046.80</b>   |
| Lowes                             | Maintenanc Materials & Supplie | rm Lowes Shop plywood for cart                     | 12/11/2018          | 25.16             |
| Lowes                             | Rec Center Materials & Supplie | supplies   | 12/11/2018          | 183.60            |
| Lowes                             | Maintenanc Materials & Supplie | rm Lowes CUC and Sheriffs Dept fir board led light | 12/07/2018          | 115.50            |
| Lowes                             | Citizens Convenience Ctr       | rm Lowes CCCC washers and wedges                   | 12/18/2018          | 25.00             |
| <b>Lowes Total</b>                |                                |  |                     | <b>349.26</b>     |
| Malloy Ford                       | Maintenanc Materials & Supplie | rm Malloy Maint 2015 Truck Gas tank                | 11/29/2018          | 89.30             |
| <b>Malloy Ford Total</b>          |                                |  |                     | <b>89.30</b>      |
| Malone, Gwendolyn                 | Plan Com Board Member Fees     | Attd @ PC Dec Mtgs                                 | 12/12/2018          | 228.43            |

Clarke County  
 Invoice History Report  
 December 31, 2018

| <u>VENDOR NAME</u>                | <u>ACCOUNT DESC</u>            | <u>FULL DESC</u>                                   | <u>INVOICE DATE</u> | <u>AMOUNT</u> |
|-----------------------------------|--------------------------------|--|---------------------|---------------|
| <b>Malone, Gwendolyn Total</b>    |                                |  |                     | 228.43        |
| Mansfield Oil Co                  | County Adm Vehicle Fuel        | rm Mansfield Oil Fuel 11/16/18-11/30/18            | 12/04/2018          | 47,840.50     |
| Mansfield Oil Co                  | County Adm Vehicle Fuel        | rm MOil County Fuel for vehicles                   | 12/17/2018          | 10,000.00     |
| Mansfield Oil Co                  | Sheriff Vehicle Fuel           | Fuel for 12/1 - 12/15/2018                         | 12/17/2018          | 8.34          |
| Mansfield Oil Co                  | EMS Vehicle Fuel               | rm Mansfield Oil Fuel 11/16/18-11/30/18            | 12/04/2018          | 65.03         |
| Mansfield Oil Co                  | EMS Vehicle Fuel               | rm MOil County Fuel for vehicles                   | 12/17/2018          | 18.00         |
| Mansfield Oil Co                  | Bldg Insp Vehicle Fuel         | rm Mansfield Oil Fuel 11/16/18-11/30/18            | 12/04/2018          | 154.00        |
| Mansfield Oil Co                  | Bldg Insp Vehicle Fuel         | rm MOil County Fuel for vehicles                   | 12/17/2018          | 281.91        |
| Mansfield Oil Co                  | AnimalCtrl Vehicle Fuel        | rm MOil County Fuel for vehicles                   | 12/17/2018          | 16.50         |
| Mansfield Oil Co                  | Maintenanc Vehicle Fuel        | rm Mansfield Oil Fuel 11/16/18-11/30/18            | 12/04/2018          | 164.88        |
| Mansfield Oil Co                  | Maintenanc Vehicle Fuel        | rm MOil County Fuel for vehicles                   | 12/17/2018          | 117.01        |
| <b>Mansfield Oil Co Total</b>     |                                |  |                     | 58,666.17     |
| Marconi, Gloria                   | Cnsvr Esmt Donation- Purch Svc | Production of 2018 year end appeal ltr             | 12/05/2018          | 273.00        |
| <b>Marconi, Gloria Total</b>      |                                |  |                     | 273.00        |
| Marple, Beth                      | VictimWit Matl & Supplies      | Calendar Planner                                   | 12/07/2018          | 260.05        |
| <b>Marple, Beth Total</b>         |                                |  |                     | 260.05        |
| Matsch Systems                    | IT Purchased Services          | Clarke Net Phacs Call Account                      | 12/03/2018          | 718.50        |
| <b>Matsch Systems Total</b>       |                                |  |                     | 718.50        |
| Miller, Sue                       | Programs Purchased Services    | contracted employee                                | 12/03/2018          | 95.55         |
| <b>Miller, Sue Total</b>          |                                |  |                     | 95.55         |
| Montgomery, Christel              | Programs Purchased Services    | Contracted Employee                                | 12/17/2018          | 109.20        |
| <b>Montgomery, Christel Total</b> |                                |  |                     | 109.20        |
| Motorola Solutions                | Sheriff Purchased Services     | INRS Install                                       | 12/06/2018          | 72.80         |
| Motorola Solutions                | Sheriff Maint Contracts        | quarterly motorola maint 11/01-01/31               | 11/01/2018          | 127.40        |
| Motorola Solutions                | Sheriff Vehicle Repair Parts   | INRS Install                                       | 12/06/2018          | 14.58         |
| <b>Motorola Solutions Total</b>   |                                |  |                     | 214.78        |
| MRugged                           | Sheriff E-Tkt Matl & Supplies  | E-Ticket Scanner                                   | 12/04/2018          | 30.00         |
| <b>MRugged Total</b>              |                                |  |                     | 30.00         |
| Nelson, Clifford M                | Plan Com Board Member Fees     | Attd @ PC Dec Mtgs                                 | 12/12/2018          | 234.77        |
| <b>Nelson, Clifford M Total</b>   |                                |  |                     | 234.77        |
| Newegg Business                   | Tk Improve Capital Outlay Repl | 50 solid state drives                              | 12/06/2018          | 94.71         |
| <b>Newegg Business Total</b>      |                                |  |                     | 94.71         |
| NRADC                             | Regional Jail Joint Ops        | FY19 3rd quarter payment                           | 12/05/2018          | 190.86        |
| <b>NRADC Total</b>                |                                |  |                     | 190.86        |
| Ohrstrom, George II               | Plan Com Board Member Fees     | Attd @ PC Dec Mtgs                                 | 12/12/2018          | 268.00        |
| <b>Ohrstrom, George II Total</b>  |                                |  |                     | 268.00        |
| Piedmont Geotechnica              | Plan Adm Pass Thru Eng Fees    | Review of Electrical Resistivity Rpt               | 12/05/2018          | 290.00        |
| <b>Piedmont Geotechnica Total</b> |                                |  |                     | 290.00        |
| Pitney Bowes                      | IT Maint Contracts             | Acct 0016575109 Treas mail mac                     | 12/01/2018          | 240.00        |
| Pitney Bowes                      | District C Postal Svcs         | Leasing charges                                    | 12/01/2018          | 20.00         |
| Pitney Bowes                      | J&D Court Postal Svcs          | leasing charges                                    | 12/01/2018          | 100.00        |
| Pitney Bowes                      | Sheriff Postal Svcs            | Postage Machine Rental                             | 12/12/2018          | 50.00         |
| <b>Pitney Bowes Total</b>         |                                |  |                     | 410.00        |
| Premier Accounts Rec              | EMS Purchased Services         | Premier Accts Rec Mng EMS Billing Invoice Nov 2018 | 12/05/2018          | 100.00        |
| <b>Premier Accounts Rec Total</b> |                                |  |                     | 100.00        |
| Purchase Power                    | Finance Postal Svcs            | Postage  | 12/05/2018          | 100.00        |
| <b>Purchase Power Total</b>       |                                |  |                     | 100.00        |
| Rappahannock Electri              | JGC Maintenanc Electric        | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 100.00        |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 100.00        |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 100.00        |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 100.00        |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 400.40        |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 25.00         |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 2,145.00      |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 150.00        |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 86.11         |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 75.00         |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 500.00        |
| Rappahannock Electri              | Maint Kohn Prop-Elec Svcs      | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 845.00        |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 25.00         |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 25.00         |
| Rappahannock Electri              | Citizens Convenience Ctr       | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 25.00         |
| Rappahannock Electri              | Maintenanc Electric            | rm REC County Electric Bill 11/01/18-12/01/18      | 12/06/2018          | 25.00         |
| <b>Rappahannock Electri Total</b> |                                |  |                     | 4,726.51      |
| Roberts Oxygen Comp               | Rec Center Materials & Supplie | rental   | 11/30/2018          | 3,000.00      |

Clarke County  
 Invoice History Report  
 December 31, 2018

| <u>VENDOR NAME</u>                    | <u>ACCOUNT DESC</u>            | <u>FULL DESC</u>                                   | <u>INVOICE DATE</u> | <u>AMOUNT</u> |
|---------------------------------------|--------------------------------|--|---------------------|---------------|
| <b>Roberts Oxygen Comp Total</b>      |                                |  |                     | 3,000.00      |
| Roseville & Plaza Pe                  | AnimalCtrl Purchased Services  | rm RVet ACO Rabies for Rusty & Duke Daisy was paid | 12/03/2018          | 314.60        |
| Roseville & Plaza Pe                  | AnimalCtrl Purchased Services  | rm RVet ACO rabies shots for beau and jazzy        | 12/03/2018          | 5.09          |
| Roseville & Plaza Pe                  | AnimalCtrl Purchased Services  | rm RVet ACO rabies for Tank & Persephone           | 12/03/2018          | 4.00          |
| Roseville & Plaza Pe                  | AnimalCtrl Purchased Services  | rm RVet ACO 4 rabies medical on Elenor and Abby    | 12/03/2018          | 131.52        |
| <b>Roseville &amp; Plaza Pe Total</b> |                                |  |                     | 455.21        |
| S&S Worldwide                         | Programs Materials & Supplies  | afterschool supplies                               | 11/30/2018          | 94.46         |
| <b>S&amp;S Worldwide Total</b>        |                                |  |                     | 94.46         |
| Safe Harbor For Chil                  | CSA Srvc 2c FmFCIVE            | Parent Mentor                                      | 11/30/2018          | 203.15        |
| <b>Safe Harbor For Chil Total</b>     |                                |  |                     | 203.15        |
| Schenck Foods Compan                  | Programs Materials & Supplies  | food afterschool                                   | 12/04/2018          | 583.00        |
| <b>Schenck Foods Compan Total</b>     |                                |  |                     | 583.00        |
| Shannon-Baum Signs I                  | Maintenanc Materials & Supplie | rm SannonBaum C Maint & CCCC post to install signs | 12/10/2018          | 914.94        |
| Shannon-Baum Signs I                  | Citizens Convenience Ctr       | rm SannonBaum C Maint & CCCC post to install signs | 12/10/2018          | 150.48        |
| <b>Shannon-Baum Signs I Total</b>     |                                |  |                     | 1,065.42      |
| Shenandoah Area Agen                  | SAAA EntityGift                | FY19 Q2 Allocation                                 | 11/16/2018          | 2,332.38      |
| <b>Shenandoah Area Agen Total</b>     |                                |  |                     | 2,332.38      |
| Shentel                               | IT Telecomm Online Tech        | Government Shentel Dark Fiber                      | 12/01/2018          | 3,152.27      |
| Shentel                               | IT Leases & Rentals            | Government Shentel Dark Fiber                      | 12/01/2018          | 2.50          |
| <b>Shentel Total</b>                  |                                |  |                     | 3,154.77      |
| Shred-It                              | Treasurer Purchased Services   | shredding services                                 | 11/22/2018          | 699.33        |
| <b>Shred-It Total</b>                 |                                |  |                     | 699.33        |
| Sinclair Health Clin                  | CSA Srvc 2c FmFCIVE            | Drug Screen  | 11/30/2018          | 183.65        |
| Sinclair Health Clin                  | CSA Srvc 2c FmFCIVE            | Drug Screen  | 11/30/2018          | 2,324.56      |
| Sinclair Health Clin                  | CSA Srvc 2c FmFCIVE            | Drug screen  | 11/30/2018          | 802.04        |
| <b>Sinclair Health Clin Total</b>     |                                |  |                     | 3,310.25      |
| Sponsellers Flower S                  | Parks Adm Materials & Supplies | ribbon   | 11/30/2018          | 252.00        |
| <b>Sponsellers Flower S Total</b>     |                                |  |                     | 252.00        |
| Stallard, Sue                         | Comm Atty Postal Svcs          | Reimburse postage                                  | 12/04/2018          | 492.57        |
| <b>Stallard, Sue Total</b>            |                                |  |                     | 492.57        |
| Tire World                            | Maintenanc Materials & Supplie | rm Tire World Maint tires for 2001 Maint           | 12/05/2018          | 271.25        |
| <b>Tire World Total</b>               |                                |  |                     | 271.25        |
| Treasurer Of Virgini                  | Exam&Bury Purchased Services   | Medical examiner fees                              | 11/28/2018          | 1,071.92      |
| <b>Treasurer Of Virgini Total</b>     |                                |  |                     | 1,071.92      |
| Tyler Technologies                    | IT Maint Contracts             | Application services                               | 12/01/2018          | 616.22        |
| <b>Tyler Technologies Total</b>       |                                |  |                     | 616.22        |
| VA Premier Elite Plu                  | Rev Rf Ambulance Svcs Refunds  | EMS Refund-Insurance Overpayment                   | 12/14/2018          | 4.79          |
| VA Premier Elite Plu                  | Rev Rf Ambulance Svcs Refunds  | EMS Refund-Insurance overpayment                   | 12/14/2018          | 252.00        |
| VA Premier Elite Plu                  | Rev Rf Ambulance Svcs Refunds  | EMS Refund - Insurance Overpayment                 | 12/14/2018          | 162.23        |
| <b>VA Premier Elite Plu Total</b>     |                                |  |                     | 419.02        |
| VA Victim Assistance                  | VictimWit Dues Subscr & Memb   | Dues   | 12/18/2018          | 1,993.70      |
| <b>VA Victim Assistance Total</b>     |                                |  |                     | 1,993.70      |
| Valley Doors Unlimit                  | Citizens Convenience Ctr       | rm Valley Doors CCCC lock sets and pad locks       | 12/12/2018          | 37.99         |
| <b>Valley Doors Unlimit Total</b>     |                                |  |                     | 37.99         |
| Valley Health                         | EMS Materials & Supplies       | WMC EMS Supply Invoice Nov 2018                    | 12/13/2018          | 2.00          |
| <b>Valley Health Total</b>            |                                |  |                     | 2.00          |
| VEBA                                  | Electoral Dues Subscr & Memb   | Clarke Co. 2019 Dues                               | 12/10/2018          | 414.48        |
| <b>VEBA Total</b>                     |                                |  |                     | 414.48        |
| Verizon                               | County Adm Telephone           | Phone bill   | 11/26/2018          | 509.24        |
| Verizon                               | Com of Rev Telephone           | Phone bill   | 11/26/2018          | 313.70        |
| Verizon                               | Treasurer Telephone            | Phone bill   | 11/26/2018          | 113.66        |
| Verizon                               | IT Telephone                   | Phone bill   | 11/26/2018          | 15.99         |
| Verizon                               | IT Telephone                   | PRI line   | 11/26/2018          | 10.98         |
| Verizon                               | Registrar Telephone            | Phone bill   | 11/26/2018          | 46.57         |
| Verizon                               | District C Telephone           | Phone bill   | 11/26/2018          | 44.83         |
| Verizon                               | J&D Court Telephone            | Phone bill   | 11/26/2018          | 120.17        |
| Verizon                               | Clk of CC Telephone            | Phone bill   | 11/26/2018          | 293.78        |
| Verizon                               | Comm Atty Telephone            | Phone bill   | 11/26/2018          | 597.39        |
| Verizon                               | Sheriff Telephone              | Phone bill   | 11/26/2018          | 209.59        |
| Verizon                               | EMS Telephone                  | Phone bill   | 11/26/2018          | 172.84        |
| Verizon                               | Probation Telephone            | Phone bill   | 11/26/2018          | 151.51        |
| Verizon                               | Bldg Insp Telephone            | Phone bill   | 11/26/2018          | 100.00        |
| Verizon                               | AnimalCtrl Telephone           | Phone bill   | 11/26/2018          | 10.52         |
| Verizon                               | Maintenanc Telephone           | Phone bill   | 11/26/2018          | 12.99         |
| Verizon                               | Parks Adm Telephone            | Phone bill   | 11/26/2018          | 144.87        |



Clarke County  
 Invoice History Report  
 December 31, 2018

| <u>VENDOR NAME</u>                | <u>ACCOUNT DESC</u>            | <u>FULL DESC</u>                                   | <u>INVOICE</u> |                   |
|-----------------------------------|--------------------------------|--|----------------|-------------------|
|                                   |                                |  | <u>DATE</u>    | <u>AMOUNT</u>     |
| Verizon                           | Plan Adm Telephone             | Phone bill   | 11/26/2018     | 285.60            |
| Verizon                           | Coop Ext Telephone             | Phone bill   | 11/26/2018     | 5.09              |
| Verizon                           | Finance Telephone              | Phone bill   | 11/26/2018     | 114.49            |
| Verizon                           | Maintenanc Telephone           | PRI line   | 11/26/2018     | 23.78             |
| <b>Verizon Total</b>              |                                |  |                | <b>3,297.59</b>   |
| Virginia Department               | Programs Dues Subscr & Memb    | Back ground ck B00614                              | 12/17/2018     | 868.00            |
| <b>Virginia Department Total</b>  |                                |  |                | <b>868.00</b>     |
| Virginia Economic De              | Econ Dev Dues Subscr & Memb    | lbw 2018 VEDA Summer Membership Meeting VEDP Allie | 05/29/2018     | 550.00            |
| <b>Virginia Economic De Total</b> |                                |  |                | <b>550.00</b>     |
| VITA                              | BoS Telephone                  | Phone bill November                                | 11/29/2018     | 315.00            |
| VITA                              | County Adm Telephone           | Phone bill November                                | 11/29/2018     | 315.00            |
| VITA                              | Com of Rev Telephone           | Phone bill November                                | 11/29/2018     | 143.00            |
| VITA                              | Treasurer Telephone            | Phone bill November                                | 11/29/2018     | 532.00            |
| VITA                              | IT Telephone                   | Phone bill November                                | 11/29/2018     | 185.00            |
| VITA                              | Registrar Telephone            | Phone bill November                                | 11/29/2018     | 250.00            |
| VITA                              | District C Telephone           | Phone bill November                                | 11/29/2018     | 187.12            |
| VITA                              | J&D Court Telephone            | Phone bill November                                | 11/29/2018     | 905.50            |
| VITA                              | Clk of CC Telephone            | Phone bill November                                | 11/29/2018     | 505.00            |
| VITA                              | Comm Atty Telephone            | Phone bill November                                | 11/29/2018     | 200.00            |
| VITA                              | Sheriff Telephone              | Phone bill November                                | 11/29/2018     | 309.00            |
| VITA                              | Bldg Insp Telephone            | Phone bill November                                | 11/29/2018     | 1,198.05          |
| VITA                              | AnimalCtrl Telephone           | Phone bill November                                | 11/29/2018     | 14.49             |
| VITA                              | Maintenanc Telephone           | Phone bill November                                | 11/29/2018     | 784.00            |
| VITA                              | Parks Adm Telephone            | Phone bill November                                | 11/29/2018     | 62.43             |
| VITA                              | Coop Ext Telephone             | Phone bill November                                | 11/29/2018     | 90.02             |
| VITA                              | Finance Telephone              | Phone bill November                                | 11/29/2018     | 771.70            |
| VITA                              | Maintenanc Telephone           | Phone bill November                                | 11/29/2018     | 642.88            |
| <b>VITA Total</b>                 |                                |  |                | <b>7,410.19</b>   |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/03/2018     | 2,899.50          |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/04/2018     | 1,000.00          |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/05/2018     | 999.01            |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/06/2018     | 671.65            |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/07/2018     | 174.12            |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/10/2018     | 678.85            |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/11/2018     | 885.31            |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/12/2018     | 676.23            |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/14/2018     | 503.45            |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/17/2018     | 58.22             |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/18/2018     | 46.07             |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/19/2018     | 574.32            |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/20/2018     | 30.00             |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/21/2018     | 126.94            |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/24/2018     | 209.64            |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/25/2018     | 162.22            |
| Wage Works                        | Finance Flex Reimbursement Py  | Daily Flex Settlement                              | 12/26/2018     | 465.27            |
| <b>Wage Works Total</b>           |                                |  |                | <b>10,160.80</b>  |
| Winchester Community              | CSA Srvc 3 NoManCom            | counseling   | 11/30/2018     | 41.05             |
| <b>Winchester Community Total</b> |                                |  |                | <b>41.05</b>      |
| Winchester Electric               | Maintenanc Materials & Supplie | rm Winchester Elec Senior Center hoodexhast motor  | 12/11/2018     | 99.78             |
| <b>Winchester Electric Total</b>  |                                |  |                | <b>99.78</b>      |
| Winchester Printers               | Cnsrv Esmt Donation- Purch Svc | CEA Notecards                                      | 12/05/2018     | 89.52             |
| <b>Winchester Printers Total</b>  |                                |  |                | <b>89.52</b>      |
| Winchester Star                   | BoS Advertising                | lbw PUBLIC COMMENT NOTICE Broadband Project        | 11/30/2018     | 1,387.51          |
| Winchester Star                   | Plan Com Advertising           | BSA Public Hearing Ads                             | 12/05/2018     | 1,875.28          |
| Winchester Star                   | BrdSepApp Advertising          | BSA Public Hearing Ads                             | 12/05/2018     | 172.65            |
| <b>Winchester Star Total</b>      |                                |  |                | <b>3,435.44</b>   |
| Winchester Title Com              | Cnsrv Esmt Donation- Purch Svc | CEA -Sprouse                                       | 12/14/2018     | 921.73            |
| <b>Winchester Title Com Total</b> |                                |  |                | <b>921.73</b>     |
| York, Robin                       | HstPrvCom Board Member Fees    | Attd @ 11-28-18 HPC mtg                            | 12/06/2018     | 1.48              |
| <b>York, Robin Total</b>          |                                |  |                | <b>1.48</b>       |
| <b>Grand Total</b>                |                                |  |                | <b>295,817.30</b> |

| Date  | Total             | General Fund      | Soc Svcs Fund    | CSA Fund       | Sch Oper Fund     | Food Serv Fund | GG Cap Fund      | School Cap Fund  | GG Debt Fund   | School Debt Fund | Joint Fund     | Conservation Easements | Unemploy. Fund |
|---|-------------------|-------------------|------------------|----------------|-------------------|----------------|------------------|------------------|----------------|------------------|----------------|------------------------|----------------|
| 04/17/18 Appropriations Resolution: Total                   | 42,147,378        | 10,825,060        | 1,555,824        | 269,499        | 23,270,676        | 844,773        | 607,000          | 732,000          | 251,700        | 2,942,715        | 793,131        | 45,000                 | 10,000         |
| <i>Adjustments:</i>   |                   |                   |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 7/17/2018 Josephine School Museum Roof                      |                   |                   |                  |                |                   |                | 18,785           |                  |                |                  |                |                        |                |
| 7/17/2018 Hawk Migration Signs                              |                   | 1,565             |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 7/17/2018 Bams of Rose Hill Endowment                       |                   | 5,000             |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 7/17/2018 Health Department                                 |                   | 37,236            |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 8/29/2018 Parks Bench                                       |                   | 709               |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 8/29/2018 Swimming Pool Lane Reel                           |                   | 2,924             |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 8/29/2018 Fire and EMS Gas Meters                           |                   | 2,000             |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| -9/18/2018 Historic Architecture Book Phase 2               |                   | 17,000            |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 10/16/2018 School Resource Officer                          |                   | 69,509            |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 10/16/2018 Blandy Grant for Chesapeake Bay                  |                   |                   |                  |                | 53,013            |                |                  |                  |                |                  |                |                        |                |
| 10/16/2018 School Capital Projects Carryover from FY 18     |                   |                   |                  |                |                   |                |                  | 1,717,989        |                |                  |                |                        |                |
| 10/16/2018 Government Capital Projects Carryover from FY 18 |                   |                   |                  |                |                   |                | 1,661,929        |                  |                |                  |                |                        |                |
| 11/20/2018 Easement Purchase: Sprouse                       |                   |                   |                  |                |                   |                |                  |                  |                |                  |                | 60,000                 |                |
| 11/20/2018 County Administration Leave Agreement            |                   | 30,333            |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 12/18/2018 Easement Purchase: Opequon Cattle                |                   |                   |                  |                |                   |                |                  |                  |                |                  |                | 317,625                |                |
| 2/19/2019 FY 18 School Operating Carryover                  |                   |                   |                  |                |                   |                |                  | 287,758          |                |                  |                |                        |                |
| <b>Revised Appropriation</b>                                | <b>46,430,753</b> | <b>10,991,336</b> | <b>1,555,824</b> | <b>269,499</b> | <b>23,323,689</b> | <b>844,773</b> | <b>2,287,714</b> | <b>2,737,747</b> | <b>251,700</b> | <b>2,942,715</b> | <b>793,131</b> | <b>422,625</b>         | <b>10,000</b>  |
| <b>Change to Appropriation</b>                              | <b>4,283,375</b>  | <b>166,276</b>    | <b>0</b>         | <b>0</b>       | <b>53,013</b>     | <b>0</b>       | <b>1,680,714</b> | <b>2,005,747</b> | <b>0</b>       | <b>0</b>         | <b>0</b>       | <b>377,625</b>         | <b>0</b>       |
| <b>Original Revenue Estimate</b>                            | <b>15,735,680</b> | <b>3,261,462</b>  | <b>970,388</b>   | <b>138,977</b> | <b>10,131,053</b> | <b>844,773</b> | <b>0</b>         | <b>154,000</b>   |                | <b>221,027</b>   | <b>2,000</b>   | <b>12,000</b>          | <b>0</b>       |
| <i>Adjustments:</i>   |                   |                   |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 7/17/2018 Josephine School Museum Roof                      |                   |                   |                  |                |                   |                | 17,785           |                  |                |                  |                |                        |                |
| 7/17/2018 Hawk Migration Signs                              |                   | 1,565             |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 8/29/2018 Parks Bench                                       |                   | 709               |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 8/29/2018 Swimming Pool Lane Reel                           |                   | 2,924             |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 8/29/2018 Fire and EMS Gas Meters                           |                   | 2,000             |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 9/18/2018 Historic Architecture Book Phase 2: State         |                   | 11,500            |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 9/18/2018 Historic Architecture Book Phase 2: Donations     |                   | 4,500             |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 10/16/2018 School Resource Officer                          |                   | 31,237            |                  |                |                   |                |                  |                  |                |                  |                |                        |                |
| 10/16/2018 Blandy Grant for Chesapeake Bay                  |                   |                   |                  |                | 53,013            |                |                  |                  |                |                  |                |                        |                |
| 10/16/2018 School Capital Projects Carryover from FY 18     |                   |                   |                  |                |                   |                |                  | 22,549           |                |                  |                |                        |                |
| 10/16/2018 Government Capital Projects Carryover from FY 18 |                   |                   |                  |                |                   |                | 13,595           |                  |                |                  |                |                        |                |
| 11/20/2018 Easement Purchase: Sprouse: VDACS                |                   |                   |                  |                |                   |                |                  |                  |                |                  |                | 30,000                 |                |
| 11/20/2018 Easement Purchase: Sprouse: Fund Balance         |                   |                   |                  |                |                   |                |                  |                  |                |                  |                | 30,000                 |                |
| 12/18/2018 Easement Purchase: Opequon Cattle: Federal       |                   |                   |                  |                |                   |                |                  |                  |                |                  |                | 211,750                |                |
| 12/18/2018 Easement Purchase: Opequon Cattle: VDACS         |                   |                   |                  |                |                   |                |                  |                  |                |                  |                | 52,937                 |                |
| 12/18/2018 Easement Purchase: Opequon Cattle: Fund Balance  |                   |                   |                  |                |                   |                |                  |                  |                |                  |                | 25,000                 |                |
| 12/18/2018 Easement Purchase: Opequon Cattle: Donations     |                   |                   |                  |                |                   |                |                  |                  |                |                  |                | 10,000                 |                |
| <b>Revised Revenue Estimate</b>                             | <b>16,256,744</b> | <b>3,315,897</b>  | <b>970,388</b>   | <b>138,977</b> | <b>10,184,066</b> | <b>844,773</b> | <b>31,380</b>    | <b>176,549</b>   | <b>0</b>       | <b>221,027</b>   | <b>2,000</b>   | <b>371,687</b>         | <b>0</b>       |
| <b>Change to Revenue Estimate</b>                           | <b>521,064</b>    | <b>54,435</b>     | <b>0</b>         | <b>0</b>       | <b>53,013</b>     | <b>0</b>       | <b>31,380</b>    | <b>22,549</b>    | <b>0</b>       | <b>0</b>         | <b>0</b>       | <b>359,687</b>         | <b>0</b>       |
| <b>Original Local Tax Funding</b>                           | <b>26,411,698</b> | <b>7,563,598</b>  | <b>585,436</b>   | <b>130,522</b> | <b>13,139,623</b> | <b>0</b>       | <b>607,000</b>   | <b>578,000</b>   | <b>251,700</b> | <b>2,721,688</b> | <b>791,131</b> | <b>33,000</b>          | <b>10,000</b>  |
| <b>Revised Local Tax Funding</b>                            | <b>30,174,009</b> | <b>7,675,439</b>  | <b>585,436</b>   | <b>130,522</b> | <b>13,139,623</b> | <b>0</b>       | <b>2,256,334</b> | <b>2,561,198</b> | <b>251,700</b> | <b>2,721,688</b> | <b>791,131</b> | <b>50,938</b>          | <b>10,000</b>  |
| <b>Change to Local Tax Funding</b>                          | <b>3,762,311</b>  | <b>111,841</b>    | <b>0</b>         | <b>0</b>       | <b>0</b>          | <b>0</b>       | <b>1,649,334</b> | <b>1,983,198</b> | <b>0</b>       | <b>0</b>         | <b>0</b>       | <b>17,938</b>          | <b>0</b>       |

*Italics = Proposed actions*



12/27/2018 10:24  
2600tjjudge

Clarke County  
YEAR-TO-DATE BUDGET REPORT

P 1  
glytdbud

FOR 2019 06

| ACCOUNTS FOR:<br>301                 | General Govt Capital Proj Fund | ORIGINAL<br>APPROP | TRANFRS/<br>ADJSTMTS | REVISED<br>BUDGET | YTD EXPENDED | ENCUMBRANCES | AVAILABLE<br>BUDGET | PCT<br>USED |
|--------------------------------------|--------------------------------|--------------------|----------------------|-------------------|--------------|--------------|---------------------|-------------|
| 94110                                | HVAC System Replacement        | 0                  | 11,937               | 11,937            | 11,936.28    | .00          | .72                 | 100.0%      |
| 94150                                | Asphalt, Sidewalk, Path        | 0                  | 3,136                | 3,136             | .00          | .00          | 3,136.00            | .0%         |
| 94180                                | Courthouse Complex Repairs     | 0                  | 66,373               | 66,373            | 35,152.00    | .00          | 31,221.00           | 53.0%       |
| 94310                                | Sheriff's Equipment            | 10,000             | 0                    | 10,000            | 10,000.00    | .00          | .00                 | 100.0%      |
| 94320                                | Auto Replacement               | 30,000             | 6,097                | 36,097            | 30,003.24    | 245.11       | 5,848.65            | 83.8%       |
| 94331                                | Sheriff's Vehicles             | 135,000            | 1,685                | 136,685           | 131,789.90   | .00          | 4,895.10            | 96.4%       |
| 94409                                | Citizen's Convenience Center   | 0                  | 732,911              | 732,911           | 640,805.37   | 126,510.96   | -34,405.33          | 104.7%      |
| 94508                                | Josephine School Museum Roof   | 0                  | 18,785               | 18,785            | 17,303.00    | 1,530.00     | -48.00              | 100.3%      |
| 94601                                | Technology Improvements        | 65,000             | 79,339               | 144,339           | 67,408.43    | 22,278.00    | 54,652.57           | 62.1%       |
| 94602                                | Systems Integration            | 0                  | 9,618                | 9,618             | 2,937.50     | 10,502.50    | -3,822.00           | 139.7%      |
| 94603                                | Mobile Radio System            | 0                  | 414,045              | 414,045           | 93,585.50    | 264,173.50   | 56,286.00           | 86.4%       |
| 94702                                | Swimming Pool                  | 0                  | 56,302               | 56,302            | .00          | .00          | 56,302.00           | .0%         |
| 94703                                | Park Fencing                   | 10,000             | 71,036               | 81,036            | .00          | .00          | 81,036.00           | .0%         |
| 94706                                | Park Sitework and Parking      | 20,000             | 4,101                | 24,101            | .00          | .00          | 24,101.00           | .0%         |
| 94707                                | Recreation Center Addition     | 0                  | 1,220                | 1,220             | .00          | .00          | 1,220.00            | .0%         |
| 94708                                | Park-Kohn Prpty Development    | 15,000             | 0                    | 15,000            | .00          | .00          | 15,000.00           | .0%         |
| 94709                                | New Park Shelter               | 0                  | 57,964               | 57,964            | 19,672.60    | 8,033.28     | 30,258.12           | 47.8%       |
| 94710                                | Park Trash Cans                | 0                  | 501                  | 501               | .00          | .00          | 501.00              | .0%         |
| 94802                                | Reassessment                   | 312,000            | 0                    | 312,000           | 19,911.00    | 157,804.50   | 134,284.50          | 57.0%       |
| 94803                                | Tourism Signs                  | 0                  | 0                    | 0                 | 6,697.12     | .00          | -6,697.12           | 100.0%      |
| TOTAL General Govt Capital Proj Fund |                                | 597,000            | 1,535,050            | 2,132,050         | 1,087,201.94 | 591,077.85   | 453,770.21          | 78.7%       |

Joint Administrative Services Board  
December 17, 2018      Regular Meeting      10:00 am

At a regular meeting of the Joint Administrative Services Board held on Monday, December 17, 2018, at 10:00 am in the Meeting Room AB, Berryville Clarke County Government Center, 101 Chalmers Court, 2nd Floor, Berryville, Virginia.

**Members Present:** David Ash, Chuck Bishop, Sharon Keeler, Chip Schutte, David Weiss

**Members Absent:** None

**Staff Present:** Gay Allen, Tom Judge, Gary Lichliter, Donna Peake, Gordon Russell, Brianna Taylor

**Others Present:** None

**1. Call to Order - Determination of Quorum**

At 10:00 am, Chairman David Weiss called the meeting to order having determined that a quorum was present.

**2. Approval of Minutes**

**Chip Schutte, seconded by David Ash, moved to approve the October 22, 2018 minutes as presented. The motion carried by the following voice vote:**

|               |       |
|---------------|-------|
| David Ash     | - Aye |
| Chuck Bishop  | - Aye |
| Sharon Keeler | - Aye |
| Chip Schutte  | - Aye |
| David Weiss   | - Aye |

**3. GASB 75**

The Actuarial Studies for post-retirement benefits are complete, which in our case is the ability for retirees to remain in the health insurance group. We have gone for years without having to post the liability associated with that to our balance sheet but with some recent changes, the auditors stated that these numbers needed posted. The study revealed a liability of \$373,683 for Government and \$1,100,463 for Schools. The study looked at all employees (current and retired) and estimated the entire length of their lives, if they retire at a normal time, and how long could they be in the health insurance group. The reports from the actuarial study are available on request. Local Choice has recently eliminated the option to assess the retirees the full cost of coverage.

#### 4. Nationwide 457 Fixed Account

Nationwide is revising their fixed account option. The fixed account has a guaranteed minimum rate, which has been 3.5% and about 47% of our account balances with Nationwide are in the fixed account. Nationwide is dropping the 3.5% minimum interest rate and has given these options:

- Option 1. Declining guaranteed minimum interest rate, transfer capped at 20%, no fee.
- Option 2. Declining guaranteed minimum interest rate, transfer capped at 40%, no annual fee.
- Option 3. Existing fixed account balance continues at minimum 3.5%, but no new contributions, instead:
  - a. Contributions redirected to the fixed account to have guaranteed minimum of 0.5% in separate account; or
  - b. Contributions redirected to Target Date fund (current default).

Chuck Bishop clarified with Tom Judge that it was the board's responsibility to elect for the whole group between these three options.

The Board discussed what options that they thought would be best for the group and all agreed on option 3a. Chairman David Weiss then polled the audience for their opinion and attendees agreed with the board.

**David Ash, seconded by Chuck Bishop, moved to approve the choice of option 3a. Option 3. Existing fixed account balance continues to have guaranteed minimum 3.5%, but no new contributions; a. Contributions redirected to the fixed account to have guaranteed minimum of 0.5% in separate account. The motion carried by the following voice vote:**

|               |       |
|---------------|-------|
| David Ash     | - Aye |
| Chuck Bishop  | - Aye |
| Sharon Keeler | - Aye |
| Chip Schutte  | - Aye |
| David Weiss   | - Aye |

#### 5. FY18 Audit Update

Tom judge stated that they are still working on the bank reconciliation for the audit and that they hope to be finished in early January. Then the auditors will need three weeks to turn the report around. The audit report for '18 should be over to us in early February, which will give us final and audited numbers for the budget process.

#### 6. ERP Update

Tom Judge stated that the ERP Go Live for Virginia Income Taxation is all set up and ready to use but will not be used until the beginning of the year. Gordon Russell explained that the transition into Go Live will occur at the beginning of the year.

Sharon Keeler and Gordon Russell stated that the last training went well and there were just a few issues that need to be handled.

Tom Judge stated that Government IT intends to upgrade Munis to 11.3 in mid-February.

## 7. Adjournment

At 10:43 am, Chairman David Weiss adjourned the meeting

## 8. Next Meeting

January 28, 2019

Note: The November meeting was cancelled due to an insufficient agenda.

---

Minutes Recorded and Transcribed by Brianna R. Taylor

# **Government Projects Update**

# Clarke County Board of Supervisors

---

## Miscellaneous Items

*[As identified after agenda publication and if necessary.]*



Board of Supervisors  
Summary of Required Actions Status Report

| <i>Meeting/Letter Date</i> | <i>Item</i> | <i>Description</i>   | <i>Responsibility</i> | <i>Status</i>   | <i>Date Complete</i> |
|----------------------------|-------------|--|-----------------------|---|----------------------|
| 12/18/2018                 | 2229        | Update calendar to reflect 2019 Organizational meeting January 7.  | Lora B. Walburn       | Complete  | 12/19/2018           |
| 12/18/2018                 | 2230        | Prepare public hearing notice for Pasture Palooza, post on website, and coordinate advertising with Winchester Star.                               | Lora B. Walburn       | Complete  | 12/19/2018           |
| 12/18/2018                 | 2231        | Process and post approved minutes.   | Lora B. Walburn       | Complete  | 12/20/2018           |
| 12/18/2018                 | 2232        | Process Town of Berryville and Clarke County Memorandum of Understanding Transportation Study – Southeast Collector following review and approval. | David Ash             | Complete  | 12/19/2018           |
| 12/18/2018                 | 2233        | Sign Town of Berryville and Clarke County Memorandum of Understanding Transportation Study – Southeast Collector                                   | David Weiss           | Hold pending review by Berryville Town Council 01-08-2019 |                      |

# Clarke County Board of Supervisors

---

## Board Member Committee Status Reports

### Supervisor Byrd:

- Board of Social Services
- Clarke County Humane Foundation
- Community Policy and Management Team
- Conservation Easement Authority
- Northwest Regional Adult Drug Treatment Court Advisory Committee
- Northwestern Regional Jail Authority
- Northwestern Regional Juvenile Detention Center Commission
- Towns and Villages: Berryville
- World War I and II Committee

### Supervisor Catlett:

- Career and Technical Education Advisory Committee
- Clarke County Historic Preservation Commission
- Clarke County School Board
- Parks & Recreation Advisory Board
- Strategic Planning Committee
- Towns and Villages: Millwood

### Supervisor Daniel:

- Broadband Implementation Committee
- Clarke County Library Advisory Council
- Clarke County Planning Commission
- Clarke County Sheriff's Office
- Josephine School Community Museum Board
- Legislative Liaison and High Growth Coalition

### Supervisor McKay:

- Agricultural & Forestal District Advisory Committee
- BCCGC Joint Building Committee
- Board of Septic & Well Appeals
- Broadband Implementation Committee
- Building and Grounds
- Clarke County Sanitary Authority
- Economic Development Advisory Committee
- Housing and Community Services Board
- Northern Shenandoah Valley Regional Commission
- Towns and Villages: Boyce
- Towns and Villages: White Post

### Supervisor Weiss:

- Clarke County Industrial Development Authority
- Fire & EMS Commission
- Joint Administrative Services Board
- Towns and Villages: Pine Grove
- Berryville/Clarke County Joint Committee for Economic Development and Tourism

# Clarke County Board of Supervisors

---

## Closed Session

*[as necessary]*

# Clarke County Board of Supervisors

---

## Citizen Comment Period



**County of Clarke**  
**Lora B. Walburn, Executive Assistant County Administration**

To: Clarke County Board of Supervisors

Date: December 11, 2018

Special Event Permit Application: Pasture Palooza Music and Arts Festival, Medium Event  
Applicant / Event Director: The Lot Presents, LLC / Samuel Creany

**History:**

- Small Event: July 2011 [450]; County Administrator approved
- Medium Event: July 2012 [700]; *Public Hearing PH12-05* May 15, 2012 Board of Supervisors Approved.
- Medium Event: July 2013, 2014, 2015 [999]; Board of Supervisors Approved March 19, 2013.
- As requested by the Board, notice of event and insurance endorsement provided annually to County Administration. Public hearing waived with noting no complaints and full compliance by applicant 2011 and 2012.
- Complaints: 2104 Fiddler various issues; 2015 Fiddler various issues
- Large Event: July 2016, 2017, 2018 [1,500] *Public hearing PH 16-04* February 16, 2016, no comments submitted, no citizens spoke.
- Complaints: 2017 Fiddler various issues; 2018 Fiddler various issues prior to the event – no comments on file following the event
- Medium Event: Reducing event application from large, 1,000+, to medium 750 to 999.

**Recommendation:**

Board of Supervisors set public hearing for Tuesday, January 15, 2019, at 6:30 pm; and depending on citizen response, approve special event permit application subject to the following conditions:

- Submission of \$450 application fees.
- Provide notice to County Administration 90 days in advance of the "To Be Determined" event dates and particulars as set forth in Code of Clarke County Chapter 57 Special Events.
- Submission Building Department and Virginia Department of Health response / approval.
- Annual notification of event date[s] to County Administration.
- Annual submission for each event insurance endorsement naming Clarke County as additional insured.



**County of Clarke**  
**Special Event Permit Application**  
**Code of Clarke County Chapter 57**

Pasture Palooza Music and Arts Festival

Name of Event

339 Minniewood Lane, Berryville, VA 22611

Location of Event

The Lot Presents, LLC (Samuel Creany)

Applicant Name and Organization if applicable [Please Print]

939 Salem Church Road, Boyle, VA 22620

Applicant/Organization Address [Please Print]

(540) 336-9904

Telephone No.

n/a

Fax No.

Sam@thelotpresents.com

Email Address

Date[s]: To be determined

Event No.: 1

If submitting application for multiple events, please number [1, 2, 3, etc.]

Estimate the number of Attendees (Maximum expected) 750

Total expected over entire timeframe, not the maximum at any one time. When calculating the number of persons attending an event, Code 57-2: Persons Attending an Event – The number of participants and spectators that is the cumulative total number of people entering the site of a Special Event on an Event Day. For Events with multiple consecutive Event Days, the Day with the greatest number of persons attending shall be used to determine whether an Event is Small, Medium, or Large.

**Special Event Type and Permit Fees**

Yes  No Multiple Events: Note: Multiple Event applications for special event permits may be submitted together for a single parcel of property.

Yes  No Multiple Year [3-Year Limit – Current Year plus two]: Note: No application for a special event may be filed more than one year before an event is to be held or before the first Event Day for applications for multiple special event permits, except for an application for a special event that is substantially the same as a special event that has been previously approved and conducted.

For Multiple Years

1. For a previously approved multi-year event, any change in the size, scope, date, location or change in ownership of property or management of the event constitutes cause for review. There is a \$100 Fee for review.
2. Applicants approved for more than a single event shall be required to sign an agreement prepared by the County attorney agreeing to the conditions set forth and further agreeing to provide the County Administrator with written notice, not less than 30 days in advance of each subsequent event that contains the names and current contact numbers of all:
  - Event management personnel,
  - Vendors,
  - Caterers,
  - Public safety providers, and/or
  - Contracted services

Yes  No Has this/these event[s] been previously approved by the Board of Supervisors?



| Type                                | Event  | No. Events In Application  | Fee  |
|-------------------------------------|--|--|--|
| <input type="checkbox"/>            | <b>Small Special Event</b> – Special Events for 150 to 499 persons attending five [5] or fewer event days per calendar year.             | One [1] Event Application<br>Two [2] or More Events In An Application Up to Five [5] | \$100<br>\$100 1st Event Application<br>\$50 Each Event 2-5 / Each Year 2-3                                    |
| <input type="checkbox"/>            | <b>Medium Special Event</b> – Special Events for 150 to 499 persons attending with <u>six [6] or more event days</u> in a calendar year. | One [1] Event in Application<br>Two [2] or More Events In An Application             | \$100<br>\$100 1st Event Application<br>\$50 Each Event 2-9 / Each Year 2-3<br>+ Cost of Public Hearing Notice |
| <input checked="" type="checkbox"/> | <b>Medium Special Event</b> – Special Events for <u>500 to 999</u> persons attending   | Each Event Application   | \$250<br>\$100 Each Year 2-3<br>+ Cost of Public Hearing Notice  |
| <input type="checkbox"/>            | <b>Large Special Event</b> – Special Events of 1000 or more persons attending an event.  | Each Event Application   | \$500<br>\$100 Each Year 2-3<br>+ Cost of Public Hearing Notice  |

**Instructions and Notes:**

- ✓ Make checks payable to Clarke County Treasurer.
- ✓ Attach check or receipt from the Treasurer with this form and include with application. If submitting for two or more events, attach to first event application only.
- ✓ Payment of the Special Event Permit Fee shall not eliminate or substitute for any requirement for any business license or any other permit(s) that may be required by any federal, state, or local statutes, ordinances, rules, or regulations. Applicants are responsible for insuring that all such permits, licenses, and certificates are obtained from the appropriate authority.
- ✓ Fees paid are non-refundable and not transferable to other activities
- ✓ An application for a Small Special Event shall be submitted at least 30 calendar days before the date of the Event to allow for review of the application.
- ✓ An application for a Medium or Large Special event shall be submitted at least 120 calendar days before the date of the Event in order to allow for review of the application.

**§ 57-4 Scaled Drawing**

Medium and Large Events – attach drawing depicting the following:  Small Event: Not required.

- (a) The areas for performances or activities and for grandstands or seats, showing the location of all aisles for pedestrian travel and other crowd-control measures.
- (b) All physical facilities existing or to be constructed on the premises, including, but not limited to, fences, ticket booths, grandstands, and stages.

- (c) The location, capacity, and nature of all temporary lighting, sound, and public address facilities.
- (d) The location, capacity, and nature of all temporary water, toilet, and all other public health-related facilities.
- (e) Vehicle ingress, egress, and parking plan, to include emergency vehicle access.

**§ 57.7. Special Event Requirements**

*All Special Events shall comply with the following terms, conditions, and requirements, unless express exception is requested and granted in any permit issued. The Administrator may waive any of the following for Small Special Events based on circumstances unique to the proposed event.*

**Instructions:** Answer all the following. Enter NA if you do not think issue is applicable. If completing the form on a computer place your answers in the blanks provided. If completing the form manually, attach a separate piece of paper and answer the questions in order.

**Note: Application is complete only when the applicant has provided all applicable approvals to County Administration.**

**General Information:**

**a) Event hours.** Unless specifically approved by the reviewing entity, no stage presentation, music, dance, or other performance or activity shall take place at a special event between the hours of 12:00 am and 7:00 am.

Date(s) and time(s) of the event: See plan

If multiple days, which day do you anticipate to have the highest attendance and an estimate of attendance:  
See plan

**b) Admission regulated.** The applicant shall regulate admission by ticket or other means acceptable to the County, so as to insure that the number of persons attending an event does not exceed the number allowed by terms of the permit.  Copy of Ticket or badge of admission Attached **OR**

Statement of the plan for controlling admission to the event: See plan

**c) Limits to attendance.** The applicant shall not sell, give, or distribute a greater number of tickets than the number that the permit allows to attend. The applicant shall not admit any persons to an outdoor event if such admission would result in a greater number of persons present than allowed by the permit. Total number of tickets to be offered for sale: 999

**p) Liability insurance.** The applicant shall provide evidence of adequate liability insurance. A certificate of insurance providing coverage in an amount of at least \$1 million dollars, naming the County of Clarke as an additional insured, and showing the date(s) of the event, shall have been received by the Administrator before an application is approved.

Certificate of insurance attached.  No  Yes

**r) Permission for Entry.** F1211-06D  Attached. The applicant shall provide written permission for the Administrator, designee, all duly constituted law enforcement officers to enter the property at any time during the Special Event to determine compliance with the approved permit and the provisions of this chapter.



**Adjoining Property Owners.**

- Attach a copy of the notice sent to all adjoining property owners. [F1211-06C provides an example of the information required in the notice to adjoining property owners] Notice shall be sent to all adjacent property owners on the same date as the application is filed with the Administrator. The address for such owners shall be that found in the records of the Commissioner of the Revenue or, for properties not located in Clarke County, an equivalent source.
  - Attach a list of all adjacent property owners, with addresses.
- 

**Health Department Notice and Approvals:**

**Note:** The Health Department must approve your plans for the following items. It is best you talk to the Health Department before you submit your plan to ensure it will be approved. Contact: 540-955-1033; 100 North Buckmarsh Street, Berryville, VA 22611

The Event Permit cannot be approved until after the Health Department has approved the plan.

- ✓ Check here if you have submitted your written plan to the Health Department and have their letter of approval attached to your application.  Approval attached
  - ✓ Check here if you have not submitted your plan to the Health Department.  Not attached
- Note: County Administration will submit your application to the Health Department for review; however, the Event Permit cannot be approved until after the Health Department has approved the plan.

**d) Water supply.** The applicant shall provide an ample supply of potable water for drinking and sanitation purposes on the premises of the Special Event by providing to the satisfaction of the Health Department the location and type of water facilities.

Statement of plan for providing water included with application including location and type of water facilities included in plan: *See plan*

---

**e) Toilet and/or lavatory facilities.** The applicant shall provide adequate toilet and/or lavatory facilities for sanitation purposes on the premises of the Special Event to the satisfaction of the Health Department.

Statement of plan for providing sanitation facilities included in plan.: *See plan*

---

**f) Waste management.** The applicant shall provide for the pickup and removal of refuse, trash, garbage, and rubbish from the site of the event on a daily basis, or more often if required by providing to the satisfaction of the Health Department the plans for pickup and removal of refuse and to clean up the premises and remove all trash and debris there from within 48 hours after the conclusion of the event.

Statement of plan for garbage, trash and sewage disposal included in plan.: *See plan*

---

**k) Food & Beverage.** The applicant shall provide for adequate preparation and provision of any food or beverage for consumption during the Special Event to the satisfaction of the Health Department (and the Virginia Alcohol Beverage Control Board, if alcoholic beverages are to be served) with a plan for preparing and providing food and beverages).

Statement of plan to provide adequate preparation and provision of any food or beverage for consumption included in plan. See plan

Will alcoholic beverages be served?  No  Yes If yes: See plan

Virginia Alcohol Beverage Control Board Notice/Approval Date: See plan  Approval attached.

Contact: www.abc.virginia.gov; 2901 Hermitage Road, P.O. Box 27491, Richmond, VA 23261

---

### Local Fire & Rescue Company Notice and Approvals

**Note:** The local Fire & Rescue Company must approve your plans for the following items. It is best you talk to your local Fire and Rescue Company before you submit your plan to ensure it will be approved. Contact your local fire & rescue company. [Blue Ridge, Boyce, John Enders, or Shenandoah Farms]

The Event Permit cannot be approved until after the local fire and rescue company has approved the plan.

- ✓ Check here if you have submitted your written plan to the local fire and rescue company and have their letter of approval attached to your application.  Approval attached
- ✓ Check here if you have not submitted your plan to the local fire and rescue company. Note: County Administration will submit your application to the local fire and rescue company for review.  Not attached

**g) Medical facilities.** Adequate on-site medical facilities and emergency medical transport vehicles shall be provided to the satisfaction of the Chief of the Fire and Rescue Company providing service to the location at which the Special Event is to be held.

Statement of plan to provide adequate on-site medical facilities and emergency medical transport vehicles included in plan: See plan

**h) Fire protection.** The applicant shall provide for adequate fire protection to the satisfaction of the Chief of the Fire Department providing service to the location at which the Special Event is to be held.

Statement of plan to provide adequate fire protection included in plan. See plan

---

### Sheriff's Notice and Approvals

**Note:** The Sheriff must approve your plans for the following items. It is best you contact him before you submit your plan to ensure it will be approved. Contact: 540-955-1234; 100 North Church Street, Berryville, VA 22611

The Event Permit cannot be approved until after the Sheriff has approved the plan.

- ✓ Check here if you have submitted your written plan to the Sheriff and have his letter of approval attached to your application.  Approval attached

- ✓ Check here if you have not submitted your plan to the Sheriff. Note: County Administration will submit your application to the Sheriff for review.  Not attached

i) **Traffic and parking control.** The applicant shall provide for adequate ingress, egress and parking for the Special Event to the satisfaction of the Sheriff, the State Police and the Virginia Department of Transportation.

Statement of plan to provide adequate ingress and egress included in plan. See plan

State Police Notice/Approval Date: 12/7/18  Approval attached.  
Contact: 540-869-2000; 3680 Valley Pike, Winchester, Virginia 22602

Statement of plan to provide traffic Control devices, signage, cones, barricades or other activities to take place within the public right-of-way. See plan

VDOT Notice/Approval Date: \_\_\_\_\_  Approval attached.

j) **Security.** The applicant shall provide adequate on-site security for the entire duration of a Special Event to the satisfaction of the Sheriff with a security plan.

Statement of plan to provide adequate on-site security included in plan. See plan

---

## Building Department Notice and Approvals

**Note:** The Building Department must approve your plans for the following items. It is best you contact the Building Department before you submit your plan to:

- Obtain approval of the actual event; AND
- Apply for any necessary permits and schedule any necessary inspections. *Prior to the event being opened to the public or participants, applicable permits and inspections must be complete. These include, but not limited to: portable lighting, electrical systems, gas systems, tents, portable structures, amusements ride including inflatables and climbing walls. Also, the Building Department inspects emergency vehicle access.*

Contact: 540-955-5112; 101 Chalmers Court, Suite B, Berryville, VA 22611

The Event Permit cannot be approved until after the Building Department has approved the plan.

- ✓ Check here if you have submitted your written plan to the Building Department and have their letter of approval attached to your application.  Approval attached
- ✓ Check here if you have not submitted your plan to the Building Department.  Not attached  
Note: County Administration will submit your application to the Building Department for review; however the applicant is responsible for obtaining any necessary Building Department permits and scheduling any/all inspections.

**Building Department Guidelines for Special Events Permits:**

The following are issues that need to be described or addressed on special events permit applications:

**Tents** - Any tent greater than 900 square feet in size will require a Building Permit and inspections prior to the event. Inspection shall be arranged to be done during normal business hours Monday through Friday at least the day prior to the event. The event application should provide diagrams or layouts of the location of the tent(s). All tents shall be fire retardant treated with the appropriate approval label on the tent and shall have a mounted and posted fire extinguisher (5 lb. ABC min.) located in each tent. If the tent is enclosed, it shall have two (2) forms of exit that are labeled and illuminated if the event occurs after daylight. If the event will occur after daylight hours, emergency lighting shall be provided.

**Electrical Systems** – Any temporary or portable electrical distribution systems shall require an Electrical Permit and inspections prior to the event. All portable or temporary systems shall be Ground Fault Interrupter Circuit (GFIC) protected. Trailer mounted generators shall be provided with ground rods and grounding conductors appropriate for the generator output requirements. All equipment shall be listed and labeled for the application (weather resistant). No portable generators are allowed inside any tents or trailers where persons would normally enter. A description of the electrical distribution system shall be provided with the special event application.

**Gas Appliances** – All gas appliances including cooking and heating appliances shall be inspected including leak tested prior to the event. No gas cylinders will be allowed inside tents or occupied trailers or structures. All gas cylinders shall be secured in areas not normally used by the public. All gas equipment shall be in good working order and shall meet requirements of the Virginia Fuel Gas Code.

**Lighting** – Information pertaining to the temporary lighting systems shall be provided with the special event application including output wattage and generation system. Lighting system shall be located not to project excessive lighting off of the premises and not to blind any moving traffic on or of the event property. Any lighting pointing to the property boundary shall be shielded and downcast.

**Inspections** – Arrangement for inspections shall be scheduled to occur prior to opening of the event during normal business hours between Monday and Friday. Required inspections shall be scheduled at least twenty-four (24) hours prior to the expected inspection. If special times and arrangements are required, prior approval will need to be arranged with the Clarke County Building Department.

**l) Lighting/Illumination.** If lighting is to be utilized, such lights shall be located, or such shielding devices or other equipment shall be utilized so as to prevent unreasonable glow beyond the property on which the event is located.

Will outdoor lighting be utilized?  No  Yes

**m) Temporary Structures.** All necessary building permits shall be obtained before the event occurs for any temporary structures such as tents or amusement rides. Will temporary structures be utilized?  No  Yes

Type[s] of temporary structures: \_\_\_\_\_

**o) Communication system.** If the premises are without adequate communications systems, the applicant shall make arrangements, approved by the County, to provide for substitute, additional, or alternate means of communication with public safety and other government officials.

Will substitute, additional, or alternate means of communication be utilized?  No  Yes If yes:

Plan for adequate communications systems included with application. *See plan*

**p) Necessary Safety Services.** The operator of the Special Event shall provide any services necessary to provide appropriate levels of safety over and above what public agencies determine that they are able to provide. Additional Safety Services Required?  No  Yes If yes:

List safety services: n/a

**Applicant Additional Information:**

Use this area for additional information, if applicable:

See plan

**Acknowledgements, Affirmations, Signature**

***By my signature below, I affirm that I have read and agree to abide by the following terms and conditions. Further, I affirm that the information provided in this application is true and accurate to the best of my knowledge.***

**§ 57.4 (a) Submission and Acceptance.** No application shall be submitted, or accepted, unless presented on the required forms along with all additional required plans, documents, approvals, fees, and other material required by this ordinance.

**§ 57.7 (m) Sound.** Applicant agrees to comply with the Clarke County Code Chapter § 120 that regulates noise.

**§ 57.7 (p) Setbacks.** The approving entity may establish setbacks from property lines, rights of way, and access easements to the site of public assembly or parking for participants or spectators for a Special Event as determined necessary by the approving entity depending on site characteristics, the type of event, the anticipated number of participants and spectators, and the impact on adjacent property owners.

**§ 57.7 (r) Other laws and rules.** The applicant shall comply with all federal, state and local laws, ordinances and regulations, including zoning ordinance provisions and any special use provisions applicable to the property.

**§ 57.3 (b) Other Permits and Responsibility:** The permit required by this ordinance, or the exemptions provided herein, shall not eliminate or substitute for any requirement for any business license or any other permit(s)

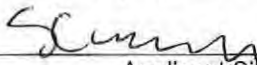
which may be required by any federal, state, or local statutes, ordinances, rules, or regulations. Applicants are responsible for insuring that all such permits, licenses, and certificates are obtained from the appropriate authority.

§ 57.8. **Deposit.** I am aware that a deposit may be required. As a condition of granting the permit, the Administrator or the Board may require the payment of a deposit to cover anticipated public clean-up costs, law enforcement costs, and/or emergency services costs beyond what is usual and customary. The applicant shall be responsible for such costs in excess of any deposit, and the applicant shall be refunded any portion of a deposit not needed to cover such costs.

§ 57.9. **Permit not transferable.** I am aware that this permit is not transferable.

§ 57.10. **Revocation or suspension of permit.** I am aware that this permit may be revoked for suspended A permit issued under the provisions of Chapter 57 may be revoked or suspended by the entity that approved the permit. The Sheriff or his/her designee may temporarily suspend the permit pending consideration, by the entity that approved the permit, of action to revoke or suspend a permit. Such action by the approving entity or the Sheriff or designee may be taken for any of the following reasons:

- a) Any violation of one or more of the requirements or any violation of one or more of the terms and conditions of a permit issued hereunder.
- b) Any material misrepresentation in the application for a permit.
- c) Any change in the ownership of the location of the permitted event, unless there is provided a signed statement from the new owner to confirm that the new owner has given permission for the specific Special Event to be held.
- d) Any material change in the condition of the facilities or ability of contracted organizations to provide required services or equipment.
- e) Any state of emergency, disaster, hazardous weather condition, or other threat to the public health, safety, and welfare that has been declared or is anticipated to occur such that continuation of the event is deemed to be an undue or unnecessary risk to the participants, general public, or public safety providers.
- f) Upon revocation or suspension of the permit, the permittee shall immediately cancel and/or terminate the event and provide for orderly dispersal of those in attendance.

  
\_\_\_\_\_  
Applicant Signature

12.7.2018  
\_\_\_\_\_  
Date

Samuel Creamy - The Lot Presents, LLC  
\_\_\_\_\_  
Printed Name

**Note: Application is complete only when the applicant has provided all applicable approvals to County Administration.**





**County of Clarke**  
**Application Special Event Permit**  
**Code of Clarke County Chapter 57**

**Right of Entry Permission Form**

---

I, Samuel Creamy the applicant for a special event permit as  
Permit Applicant's Name [Please print legibly.]

required by Article II of Chapter 57 of the Code of Clarke County, Virginia, that event

titled: Pasture Palooza Music & Arts Festival

shall take place on To be determined at  
Specify Date[s]

339 Minnie wood Lane, Berryville, VA 22611  
Event Location and/or Address

in Clarke County, Virginia, and I, Alison Teator  
Landowner or Leaseholder's Name

the landowner/ leaseholder of such event location, give our permission for the County Administrator, the county's lawful agents or duly constituted law enforcement officers to go upon the aforementioned property where the special event will take place at any time for the purpose of determining compliance with the provisions of Article II of Chapter 57 of the Code of Clarke County, Virginia. This permission shall specifically include the period of set up and shut down of the event.

We understand that any of the above-referenced officials shall have the right to revoke any permit issued under the aforementioned article upon noncompliance with any of its provisions and conditions.

Samuel Creamy  
Permit Applicant

Secondary Signature[s] If Applicable

Permit Applicant

Alison Teator  
Event Location Owner/Leaseholder

Secondary Signature[s] If Applicable

Event Location Owner/Leaseholder



## County of Clarke Application Special Event Permit Code of Clarke County Chapter 57

**Section I Determination:** Permit is required for any assembly, attraction, ceremony, event, festival, gathering, circus, carnival, or show at which rides, games, competitions, attractions, music, dance, or other performing arts are engaged in by participants or provided as entertainment by professional or amateur performers or by prerecorded means that meet the following criteria:

| Question  | Yes                                 | No                                  | Action   |
|---|-------------------------------------|-------------------------------------|--|
| A. Does it occur within the corporate limits of the Town of Berryville or the Town of Boyce or the Berryville Annexation Area?                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | If yes, permit not required by Clarke County. Check with the appropriate local government.   |
| B. Is it to be held on property owned by the United States of America, the Commonwealth of Virginia, or the County of Clarke, or in a permanent enclosed structure? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | If yes, permit not required by Clarke County. Check with the appropriate governmental agency to ensure compliance with its rules and regulations.  |
| C. Is it to be held on a private parcel of land fewer than six acres?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | If yes, event is <b>not</b> allowed on parcels of fewer than six acres.  |
| D. Is the function planned for fewer than 150 people?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | If yes, A permit shall not be required for an assembly with less than 150 persons attending the event on a parcel of 6 or more acres (or adjoining parcels with the same owner that have a total area of six or more acres). |
| E. Does it involve the raising, charging, donating or re-couping of funds?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | If no, special event permit is not required.   |

Note: Such an assembly shall not include demonstrations, parades, rallies, marches, or picketing activities.

**If you answered No to all questions A, B, C, D, and Yes to question E, a special event permit application is required. Use Special Event Permit Application Form F1211-01B**



**Adjoining Property Owner  
Special Event Notice**

[Date]

[Name of Property Owner]

[Adjoining Property Address]

[Adjoining Property City, State, Zip]

Dear Adjoining Property Owner,

This notice is to advise adjoining property owners that a multiple year special event application has been forwarded this day to the County of Clarke, Virginia for the following event to be conducted at:

Location: 339 Minniewood Lane, Berryville, VA 22611

Event Name: Pasture Palooza Music & Arts Festival

Event Date: To be determined

**Summary of Event:**

Pasture Palooza Music & Arts Festival is an annual outdoor event with overnight camping. A maximum of 999 persons are expected to attend. Attendees will eat, camp, and listen to music. Alcohol is allowed on the property. There will be amplified music and two stages with lighting. No homes are visible or within a quarter mile of the event area. Deputy Sheriffs and staff will be onsite during the weekend. I assure you that amplified music will be cut off at 12:00am each night to respect you, the surrounding homeowner.

If you have questions, concerns or would care to review the full text of the application, please contact the following by December 15.

Samuel Creany  
939 Salem Church Rd, Boyce, VA 22620  
sam@thelotpresents.com  
cell: (540) 336-9904

If you are unable to reach the person listed above at the address or telephone number listed above, you may contact the County Administrator at 540-955-5175.

Regards,

Samuel Creany

## Adjoining Property Owners

Susan Canterbury  
153 Minniewood Lane  
Berryville, VA 22611

Karen Russell  
66 Minniewood Lane  
Berryville, VA 22611

James Garland  
c/o Linda Lorber  
PO Box 209  
Berryville, VA 22611

Robert & Dawn Sayre  
195 Minniewood Lane  
Berryville, VA 22611

Jennifer Nichols  
269 Minniewood Lane  
Berryville, VA 22611

Robert & Joyce Fiddler  
210 Minniewood Lane  
Berryville, VA 22611

Kevin & Sherrie Erisman  
1250 Withers Larue Road  
Berryville, VA 22611

Heidi & Wade Brown  
PO Box 1201  
Berryville, VA 22611

MNNW Partnership  
PO Box 131  
Boyce, VA 22620

George & Karen Jardina  
364 Honey Lane  
Berryville, VA 22611

Bin & Man Fan Yang  
560 Honey Lane  
Berryville, VA 22611

Health (under review)



Trevor Creany <info@thelotpresents.com>

---

## Pasture Palooza Notice for Approval

---

**Sam Creany** <sam@thelotpresents.com>  
To: jim.davis@vdh.virginia.gov

Thu, Dec 6, 2018 at 8:54 AM

Hello Mr. Davis,

This email is to inform you that I am filing an application with Clarke County for a Special Event Permit for Pasture Palooza Music & Arts Festival at 339 Minniewood Lane, Berryville, VA 22611. I am applying for a 3-year permit (event dates to be determined).



Please see attached notice addressing the concerns of the Health Department. I've also attached the Pasture Palooza Event Plan and Map for a broader overview of the event. Let me know if you have any questions concerning the documents. I will be happy to clarify. I will be following up tomorrow. If you have no questions or concerns please sign and email back by **December 7**.

All the best,

Sam Creany  
The Lot Presents, LLC.  
Producer / Vendor Coordinator  
540.336.9904  
[www.pasturepalooza.com](http://www.pasturepalooza.com)

---

### 2 attachments

-  **Health Dept Notice v.1.pdf**  
52K
-  **PP19 Event Plan v.1.pdf**  
237K

Health (under review)

12/5/18

To: Jim Davis  
100 North Buckmarsh Street  
Berryville, VA 22611

Print Name: \_\_\_\_\_  
Date: \_\_\_\_\_  
Approval Signature: \_\_\_\_\_

Dear Jim Davis,

This letter is to inform you that I am filing an application with the County for a Special Event Permit for Pasture Palooza Music & Arts Festival at 339 Minniewood Lane, Berryville, VA 22611. I am applying for a 3-year permit (event dates to be determined). Please see below our plan to address the concerns of the Health Department.

- 1) Water Supply: All attendees will be notified that water is available for purchase, but they are encouraged to bring enough for themselves for the entire weekend. 2 wash stations will be rented for sanitation purposes.
- 2) Toilet and/or lavatory facilities: Ten, 10, portable lavatory facilities will be rented for the entire weekend. We do not expect to have more than 999 attendees so this exceeds the requirement of 1 lavatory facility per every 100 people.
- 3) Waste management: When attendees enter the festival they will be given a trash bag to throw any refuse, trash, garbage, rubbish, and non-recyclable material in. Pasture Palooza Music & Arts Festival will encourage the attendees to recycle aluminum cans and plastic bottles into recycle bins placed throughout the event grounds. Sewage disposal will be the responsibility of the company providing portable lavatory facilities. TLP will provide daily waste removal.
- 4) Food & Beverage: The event will have food and beverage vendors. All vendors will be getting a temporary permit from the County of Clarke to sell food and non-alcoholic beverages. I will sign and submit the coordinator's checklist required by the Health Department.
- 5) Camping Permit: We will apply for a camping permit through the state as we have in the past. Past applications have been approved.

I am submitting the application on **December 7** for consideration by the Board of Supervisors at their December meeting. If you have any questions, you can reach me at 540-336-9904 or sam@thelotpresents.com. If this plan is adequate, please reply with your approval.

Sincerely,

Samuel Creany, Event Coordinator  
cell: 540-336-9904 // sam@thelotpresents.com



Health (under review)

Trevor Creany <info@thelotpresents.com>

---

## Pasture Palooza

---

**Bonnefond, Clarissa** <clarissa.bonnefond@vdh.virginia.gov>  
To: sam@thelotpresents.com, Walter Davis <jim.davis@vdh.virginia.gov>

Thu, Dec 6, 2018 at 12:35 PM


Hi Sam,

I will review your letters for Pasture Palooza's event permit. I also need you to complete the attached application. It is our campground permit application so you can obtain a Temporary Campground Permit and the necessary waivers for the event.

Best,

**Clarissa Bonnefond**  
**Environmental Health Specialist Senior**  
Clarke County Health Department  
100 N. Buckmarsh St.  
Berryville, VA 22611  
Direct Line: 540-277-3571  
Office: 540-955-1033

---

 **Campground App.pdf**  
266K



Fire & EMS



Trevor Creany <info@thelotpresents.com>

---

## Pasture Palooza Notice for Approval

---

Sam Creany <sam@thelotpresents.com>

Thu, Dec 6, 2018 at 8:59 AM

To: blichty@clarkecounty.gov

Hello Mr. ██████,

This email is to inform you that I am filing an application with Clarke County for a Special Event Permit for Pasture Palooza Music & Arts Festival at 339 Minniewood Lane, Berryville, VA 22611. I am applying for a 3-year permit (event dates to be determined).


Please see attached notice addressing the concerns of the Fire and Rescue Department. I've also attached the Pasture Palooza Event Plan and Map for a broader overview of the event. Let me know if you have any questions concerning the documents. I will be happy to clarify. I will be following up tomorrow. If you have no questions or concerns please sign and email back by **December 7**.


All the best,

Sam Creany  
The Lot Presents, LLC.  
Producer / Vendor Coordinator  
540.336.9904  
[www.pasturepalooza.com](http://www.pasturepalooza.com)

---

### 2 attachments

 **Fire and EMS Notice v.1.pdf**  
36K

 **PP19 Event Plan v.1.pdf**  
237K

Fire & EMS

12/5/18

To: Brian Lichty  
Fire & EMS Director  
101 Chalmers Court, Suite B.  
Berryville, VA 22611

Print Name: \_\_\_\_\_  
Date: \_\_\_\_\_  
Approval Signature: \_\_\_\_\_

Dear Mr. Davis,

This letter is to inform you that I am filing an application with the County for a Special Event Permit for Pasture Palooza Music & Arts Festival at 339 Minniewood Lane, Berryville, VA 22611. I am applying for a 3-year permit (event dates to be determined).

The events will begin on Friday afternoon with a limited schedule and low attendance. Saturday will be a full day of music and activities, with performances ending no later than 12:00 am. Our attendance this year is expected to peak around 750. On-site camping is included for the duration of each event.

Our plan is to contract a professional event medical team, "Bear Care Medical" to provide around the clock team coverage for the entire event. Their staff are all professionally trained and certified for EMS. They have worked well with Clarke County EMS on several occasions. We believe this approach minimizes the burden on the county personnel and meets the requirements to provide adequate medical services. We have worked with Bear Care Medical to construct a plan that we hope will meet with your approval.

If you have any questions or require clarification please contact me at 540-336-9904 or reply to sam@thelotpresents.com. If this plan adequately meets the requirements for medical services please reply with your approval so that I may include your response in the application that I will submit to the County Administrator on **December 7** for inclusion in the December Board of Supervisors meeting.

Again, thank you for your assistance in these preparations.

Sincerely,

Samuel Creany, Event Coordinator  
540-336-9904  
sam@thelotpresents.com



**County of Clarke, Virginia**  
**Department of Fire, EMS and Emergency Management**  
**Director Brian Lichy**

Fire & EMS

December 6th, 2018

Samuel Creany  
Event Coordinator  
PO Box 321  
Boyce VA 22620

Re: Special Event – Pasture Palooza Music & Arts Festival Application

Dear Mr. Creany,

I have received your application information for the Special Permit for the Pasture Palooza Music & Arts Festival at 339 Minniewood Lane, Berryville, VA 22611. I have reviewed the information you have provided concerning fire and EMS services.

In section "g" of your plan you identify "Medical personnel will be on site throughout the entire event". I am requesting you further define the services these medical personnel will be providing (i.e. first aid, EMT-B level, Paramedic, etc.). If they are providing any level of medical care above first aid please provide a copy of their Virginia EMS agency license and record of Operational Medical Director (OMD). If the level of care is first aid only, please document in your plan and no further action is required.

In addition, as part of our review process we take the information you have provided and enter it into our Special Events FEMS IS-15 evaluation worksheet. This evaluation has determined that the services outlined in your plan meet the event's needs. A copy of the evaluation worksheet is attached for your reference.

Sincerely,

Brian Lichy  
Director Fire, EMS and  
Emergency Management

Office: 540-955-5113

101 Chalmers Ct., Suite B  
Berryville, VA 22611

Fax: 540-955-5180



# Fire & EMS



## Estimation of Emergency Medical Care Resources at Special Events



**EVENT:** Pasture Palooza Music & Arts Festival

**Daily Population:** Max 999

**DATES:** TBD

**Table 1 Event Nature- a.b,c,d**

| A: Type Event                    | Score | B: Venue                              | Score |
|----------------------------------|-------|---------------------------------------|-------|
| Classical performance            | 2     | Indoor                                | 1     |
| Public exhibition                | 3     | Stadium                               | 2     |
| Pop/Rock concert                 | 5     | Outdoor in confined location Park etc | 2     |
| Dance event                      | 8     | Other outdoor, eg Festival            | 3     |
| Equestrian                       | 2     | Widespread public location in streets | 4     |
| Marine                           | 3     | Temporary outdoor Structures          | 4     |
| Motorcycle display               | 3     | Includes overnight Camping            | 5     |
| Aviation                         | 3     | <b>B- Your Choice</b>                 | 2     |
| Motor sport                      | 4     |                                       |       |
| State occasions                  | 2     | C. Stand /Seat                        | Score |
| VIP visits/summit                | 3     | Seated                                | 1     |
| Music festival                   | 3     | Mixed                                 | 2     |
| Pyrotechnic display              | 4     | Standing                              | 3     |
| New year celebration             | 7     | <b>C- Your Choice</b>                 | 2     |
| Demonstrations/ Political events |       |                                       |       |
| *Low risk of disorder            | 2     | D. Audience profile                   | Score |
| *Medium risk of Disorder         | 5     | Full mix, in family groups            | 2     |
| *High risk of disorder           | 7     | Full mix, not in family groups        | 3     |
| *Opposing factions involved      | 9     | Predominantly young adults            | 3     |
|                                  |       | Predominantly children and teenagers  | 4     |
| <b>A- Your Choice</b>            | 3     | Predominantly elderly                 | 4     |
|                                  |       | Full mix, rival factions              | 5     |
|                                  |       | <b>D- Your Choice</b>                 | 3     |

|                            |           |
|----------------------------|-----------|
| <b>Table 1 Ratio Score</b> | <b>10</b> |
|----------------------------|-----------|

**Table 2 Event Intelligence- e,f**

| E: Past history                                     | Score | F: Expected numbers   | Score |
|---|-------|-----------------------|-------|
| *Good data, low casualty rate previously (< 1%)     | -1    | <1000                 | 1     |
| *Good data, medium casualty rate previously (1%-2%) | 1     | <3000                 | 2     |
| *Good data, high casualty rate previously (> 2%)    | 2     | <5000                 | 8     |
| *First event, no data                               | 3     | <10000                | 12    |
| <b>E- Your Choice</b>                               | -1    | <20000                | 16    |
|   |       | <30000                | 20    |
|   |       | <40000                | 24    |
|   |       | <60000                | 28    |
|   |       | <80000                | 34    |
|   |       | <100000               | 42    |
|   |       | <200000               | 50    |
|   |       | <300000               | 58    |
|   |       | <b>F- Your Choice</b> | 1     |

|                            |          |
|----------------------------|----------|
| <b>Table 2 Ratio Score</b> | <b>0</b> |
|----------------------------|----------|

# Fire & EMS

**Table 3 Event Factors- g-l**

| <b>G: Expected queuing</b> | <b>Score</b> | <b>H: Time of year (outdoors)</b> | <b>Score</b> |
|----------------------------|--------------|-----------------------------------|--------------|
| Less than 2 hr.            | 1            | Summer                            | 2            |
| More than 3 hr.            | 2            | Autumn                            | 1            |
| More than 12 hr.           | 3            | Winter                            | 2            |
| <b>G- Your Choice</b>      | 1            | Spring                            | 1            |
|                            |              | <b>H- Your Choice</b>             | 2            |

| <b>I: Proximity to nearest hospital</b> | <b>Score</b> | <b>J: Profile of definitive care</b> | <b>Score</b> |
|---|--------------|--------------------------------------|--------------|
| Less than 30 min by road                | 0            | Choice of A & E departments          | 1            |
| More than 30 min by road                | 2            | Large of A & E departments           | 2            |
| <b>I- Your Choice</b>                   | 0            | Small of A & E departments           | 3            |
|   |              | <b>J- Your Choice</b>                | 2            |

| <b>K: Additional Hazard Indicators</b> | <b>Score</b> | <b>L: Additional On-Sight Facilities</b> | <b>Score</b> |
|--|--------------|--|--------------|
| Carnival                               | 1            | Suturing                                 | -2           |
| Helicopters                            | 1            | X-ray                                    | -2           |
| Motor sport                            | 1            | Minor surgery                            | -2           |
| Parachute display                      | 1            | Plastering                               | -2           |
| Street theatre                         | 1            | Psychiatric/GP facilities                | -2           |
| Other- Model Rockets                   | 1            | First Aide/Triage                        | -2           |
| <b>K- Your Choice</b>                  | 0            | <b>L- Your Choice</b>                    | -2           |

**TABLE 3 SCORE RATIO**     **3**

**TOTAL VALUE**     **13**

| <b>Requirement as per sheet 2 (below)</b> |               |                    |
|---|---------------|--------------------|
| <b>APPARATUS/ FACILITY</b>                | <b>#UNITS</b> | <b># PERSONNEL</b> |
| Command Posts                             |               |                    |
| ALS Transports                            |               |                    |
| BLS Transports                            |               |                    |
| Roving ALS                                |               |                    |
| Roving BLS                                | 1             | 2                  |
| First Aide Stations                       |               |                    |
| Mobile Hospital                           |               |                    |
| Fire Engine Type I                        |               |                    |
| Fire Tanker                               |               |                    |
| Specialty Unit:                           |               |                    |
| Specialty Unit:                           |               |                    |
| Specialty Unit:                           |               |                    |
| <b>TOTALS:</b>                            | <b>1</b>      | <b>2</b>           |

FEMA IS-15 Special Event Contingency Planning



# Fire & EMS

| Total Value | Unified Command post   | ALS Transport  | BLS Transport  | Roving ALS       | Roving BLS       | First Aide Station | Mobile Hospital  |
|-------------|--|--|--|------------------|------------------|--------------------|--|
| <20         | 0  | 0  | 0  | 0                | 1                | 0                  | 0  |
| 21-25       | 0  | 0  | 1  | 1                | 0                | 1                  | 0  |
| 26-30       | 1  | 1*   | 1*   | 1                | 1                | 1                  | 0  |
| 31-35       | 1  | 2*   | 1*   | 2                | 1                | 1                  | 0  |
| 36-40       | 1  | 2**  | 2**  | 2                | 2                | 1                  | 0  |
| 41-50       | 2*   | 2**  | 2**  | 2                | 2                | 2                  | 1  |
| 51-60       | 3*   | 3***   | 2***   | 4                | 2                | 3                  | 1  |
| 61-65       | 5*   | 4***   | 4***   | 4                | 4                | 2                  | 2  |
|             | *= 1 Unified Command Post (3 FTE) and other # staffed divisions (2 FTE) per Division | 2.5 FTE Per Unit<br>1 als or bls must be on site at any time | 2 FTE per unit<br>* 1 als or bls must be on site at any time | 1.5 FTE per Unit | 1.5 FTE per Unit | 3 FTE per Unit     | 5 FTE per Unit<br>1-MD or DO 2-RN /LPN<br>1-Paramedic 1-Triage/Admin |
|             |  | ** 2 als or 1 als & 1 bls must be on site at any time        |  |                  |                  |                    |  |
|             |  | ** 2 als or 1 als & 1 bls must be on site at any time        | ** 2 als or 1 als & 1 bls must be on site at any time        |                  |                  |                    |  |
|             |  | *** 2 als & 1 bls must be on site at any time                | *** 2 als & 1 bls must be on site at any time                |                  |                  |                    |  |

Fire & EMS



Trevor Creany <info@thelotpresents.com>

---

## Pasture Palooza Notice for Approval

---

Sam Creany <sam@thelotpresents.com>  
To: blichty@clarkecounty.gov

Fri, Dec 7, 2018 at 10:06 AM

Mr. Lichy,

Please see attached updated Event Plan. Changes to section "g" are as follows:


Medical personnel will be on site to render Basic First Aid to staff or participants throughout the entire event. Medical personnel will activate local EMS via 911 or by contacting units on site, if they believe the patient's condition to be life threatening.

Please let me know if you have any other concerns. Thank you for your time.  
All the best,

Sam Creany  
The Lot Presents, LLC.  
Producer / Vendor Coordinator  
540.336.9904  
[www.pasturepalooza.com](http://www.pasturepalooza.com)

[Quoted text hidden]

---

 **PP19 Event Plan v.1.pdf**  
237K

Sheriff



Trevor Creany <info@thelotpresents.com>

---

## Pasture Palooza Event Notice for Approval

---

**Sam Creany** <sam@thelotpresents.com>  
To: Travis M Sumpton <tsumpton@clarkecounty.gov>  
Cc: Tony Roper <troper@clarkecounty.gov>

Fri, Dec 7, 2018 at 10:27 AM

Hi Chief Deputy Sumpton,

I sent this email to Sheriff Roper yesterday but haven't heard from him. I'm hoping to submit this permit application to Lora Walburn today. If you have time to take a look I would really appreciate it. Thank you in advance:

This email is to inform you that I am filing an application with Clarke County for a Special Event Permit for Pasture Palooza Music & Arts Festival at 339 Minniewood Lane, Berryville, VA 22611. I am applying for a 3-year permit (event dates to be determined).


Please see attached notice addressing the concerns of the Sheriff's Department. I've also attached the Pasture Palooza Event Plan and Map for a broader overview of the event. Let me know if you have any questions concerning the documents. I will be happy to clarify. I will be following up tomorrow. If you have no questions or concerns please email back by **December 7** stating that your Department Approves this notice.


All the best,

Sam Creany  
The Lot Presents, LLC.  
Producer / Vendor Coordinator  
540.336.9904  
[www.pasturepalooza.com](http://www.pasturepalooza.com)

---

### 2 attachments

 **PP19 Event Plan v.1.pdf**  
237K

 **Sheriff Notice v.1.pdf**  
89K



Sheriff

12/5/18

To: Anthony W. Roper, Sheriff  
100 N. Church Street  
Berryville VA, 22611

Dear Sheriff Roper,

This letter is to inform you that I am filing an application with the County for a Special Event Permit for Pasture Palooza Music & Arts Festival at 339 Minniewood Lane, Berryville, VA 22611. I am applying for a 3-year permit (event dates to be determined).

Our attendance this year is expected to peak around 750. We will provide professional security during the entire event, with a minimum of two security personnel at the times of low attendance and six or more during the peak hours of the event. We have designed the security program so to maintain high visibility of our trained and certified personnel. We are using electronic ticketing to assure compliance with the ticketing requirements of the permit. We are able to accurately track tickets sold and persons on site at any time. All guests are informed of the event rules and expectations. As always, the presence of your off-duty deputies will be scheduled well in advance. We have included the right to enter agreement in our permit.

All festival promotional materials will encourage use of Triple J Road via Route 7 as the primary approach to the festival. Additional signs will direct traffic into the entrance at Minniewood Lane. We have positioned the ticket booth so that there is ample room for vehicles line up without blocking any neighbor's right of ways. Parking or camping along traffic routes has been set back in an effort to increase safe passage. These changes greatly improved traffic flow and pedestrian safety. The performance area will have restricted access and be limited to foot or logistical traffic only.

All event staff working with traffic will be provided with some type of safety vest and light. In addition, all event staff will be instructed how to contact the appropriate emergency services should the need arise. VDOT and the State Police are also being informed of this event and I will define our needs with them directly. In previous years, it was determined that no additional measures were needed.

I am submitting the application on **December 7** for consideration by the Board of Supervisors at their December meeting. If you have any questions, you can reach me at 540-336-9904 or [sam@thelotpresents.com](mailto:sam@thelotpresents.com). If this plan is adequate, please reply with your approval.

Sincerely,

Samuel Creany, Event Coordinator  
540-336-9904 // [sam@thelotpresents.com](mailto:sam@thelotpresents.com)

Sheriff



Trevor Creany <info@thelotpresents.com>

---

## Pasture Palooza Event Notice for Approval

---

Travis M Sumption <tsumption@clarkecounty.gov>

Fri, Dec 7, 2018 at 12:10 PM

To: Sam Creany <sam@thelotpresents.com>

Cc: Tony Roper <troper@clarkecounty.gov>

Trevor - I have read the plan and have no issues. If the Sheriff Roper has concerns he can address with the Board

**Travis M. Sumption**  
**Chief Deputy**  
**Clarke County Sheriff's Office**  
**100 North Church Street**  
**Berryville, Virginia 22611**  
**540-955-5182 (Office)**  
**540-955-4111 (Fax)**  
**540-955-1234 (24 Hour)**



**Confidentiality Notice:**

The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.

[Quoted text hidden]

State Police



Trevor Creany <info@thelotpresents.com>

---

## Clarke County Event Notice for Approval

---

Sam Creany <sam@thelotpresents.com>

Thu, Dec 6, 2018 at 8:56 AM

To: "Smith, Jonathan E., Sgt." <jonathan.smith@vsp.virginia.gov>

Hello Jonathan Smith,

This email is to inform you that I am filing an application with Clarke County for a Special Event Permit for Pasture Palooza Music & Arts Festival at 339 Minniewood Lane, Berryville, VA 22611. I am applying for a 3-year permit (event dates to be determined).

See attached Event Plan and Map. If you approve of this notice please email back stating such. If you have any further questions or concerns please don't hesitate to get in touch with me.

All the best,

Sam Creany

The Lot Presents, LLC.

Producer / Vendor Coordinator

540.336.9904

[www.pasturepalooza.com](http://www.pasturepalooza.com)



**PP19 Event Plan v.1.pdf**

237K



State Police



Trevor Creany <info@thelotpresents.com>

---

## Clarke County Event Notice for Approval

---

Jonathan Smith <Jonathan.Smith@vsp.virginia.gov>  
To: Sam Creany <sam@thelotpresents.com>

Fri, Dec 7, 2018 at 10:04 AM

Reviewed. Thank you for notifying our agency.

- Jon

**Sergeant J. E. Smith**

Virginia Department of State Police

3680 Valley Pike

Winchester, Virginia 22602

Office: (540) 869-2000

Fax: (540) 869-0209

[Jonathan.Smith@vsp.virginia.gov](mailto:Jonathan.Smith@vsp.virginia.gov)

The information in this email and any attachments may be confidential and privileged. Access to this email by anyone other than the intended addressee is unauthorized. If you are not the intended recipient (or the employee or agent responsible for delivering this information to the intended recipient) please notify the sender by reply email and immediately delete this email and any copies from your computer and/or storage system. The sender does not authorize the use, distribution, disclosure or reproduction of this email (or any part of its contents) by anyone other than the intended recipient(s). No representation is made that this email and any attachments are free of viruses. Virus scanning is recommended and is the responsibility of the recipient.



VDOT



Trevor Creany <[info@thelotpresents.com](mailto:info@thelotpresents.com)>

---

## Clarke County Event Notice for Approval

---

Sam Creany <[sam@thelotpresents.com](mailto:sam@thelotpresents.com)>  
To: [bobby.boyce@vdot.virginia.gov](mailto:bobby.boyce@vdot.virginia.gov)

Thu, Dec 6, 2018 at 8:57 AM

Hello Mr. Boyce,

This email is to inform VDOT that I am filing an application with Clarke County for a Special Event Permit for Pasture Palooza Music & Arts Festival at 339 Minniewood Lane, Berryville, VA 22611. I am applying for a 3-year permit (event dates to be determined).

If approved this will be our 10th Annual event. In the past VDOT has approved the notice based on the fact that the event does not affect any public right of ways. All patrons enter on Minniewood Lane, a private lane off of Triple J Road in Clarke County. The traffic from our event never blocks or disturbs the public traffic on Triple J Road. I've attached our event plan which includes a map. Please feel free to look over everything and let me know if you have questions or concerns. If you approve this notice please respond to this email stating such.

All the best,

Sam Creany  
The Lot Presents, LLC.  
Producer / Vendor Coordinator  
540.336.9904  
[www.pasturepalooza.com](http://www.pasturepalooza.com)



**PP19 Event Plan v.1.pdf**  
237K

Clarke County

lwalburn@clarkecounty.gov

---

**Clarke - Route 632 - Pasture Palooza Music & Arts Festival 2019, 2020 & 2021**

---

**From :** Arthur Boyce <bobby.boyce@vdot.virginia.gov>

Fri, Dec 21, 2018 11:48 AM

**Subject :** Clarke - Route 632 - Pasture Palooza Music & Arts Festival 2019, 2020 & 2021**To :** Lora Walburn <lwalburn@clarkecounty.gov>**Cc :** Rhonda Funkhouser <rhonda.funkhouser@vdot.virginia.gov>, rfincham@clarkecounty.gov, troper@clarkecounty.gov, Matthew Smith <matthew.smith@vdot.virginia.gov>

&lt;&lt;...&gt;&gt;

**DEPARTMENT OF TRANSPORTATION**

Staunton/Edinburg Land Development

14031 Old Valley Pike

Edinburg, VA 22824

Dear Ms. Walburn:

We have reviewed the above subject Special Event Application dated December 6, 2018 for events in 2019, 2020, & 2021. We anticipate that an event of this size will have minimal impacts to the adjacent roadways. The 1000 total attendees expected should generated approximately 1000 total trips/day based on a 2.2 persons/vehicle occupancy rate. We do not anticipate the need for any traffic controls at the Route 632 intersection provided the following comments are addressed:

- Vehicles entering the site need to be shuttled off the State road as quickly as possible. Traffic should not be stopped to take up money, tickets, to register guess, or provide wristbands since this may cause backups or stacking onto Route 632. We recommend that the patrons be first parked, then pay or obtain wristbands as they walk in the gate to the festival. The proposed 2500' of internal stacking will accommodate approximately 100 vehicles.

- If any flagging on the State's roadway is deemed necessary this will need to be performed by uniformed law enforcement officers.

We appreciate the County's efforts to include VDOT in the early planning stages and the opportunity to provide comments on this Special Event Permit. If you have any questions, please do not hesitate to give me a call at (540) 984-5631.

Sincerely,

*Bobby Boyce*

Bobby Boyce  
VDOT Land Development Engineer  
Shenandoah, Frederick, Clarke, & Warren Counties  
14031 Old Valley Pike  
Edinburg, VA 22824  
(540)984-5631

---

Building (under review)



Trevor Creany <info@thelotpresents.com>

## Pasture Palooza Notice for Approval

Sam Creany <sam@thelotpresents.com>  
To: jroyston@clarkecounty.gov

Thu, Dec 6, 2018 at 8:54 AM

Hello Mr. Royston,


This email is to inform you that I am filing an application with Clarke County for a Special Event Permit for Pasture Palooza Music & Arts Festival at 339 Minniewood Lane, Berryville, VA 22611. I am applying for a 3-year permit (event dates to be determined).


Please see attached notice addressing the concerns of the Building Department. I've also attached the Pasture Palooza Event Plan and Map for a broader overview of the event. Let me know if you have any questions concerning the documents. I will be happy to clarify. I will be following up tomorrow. If you have no questions or concerns please sign and email back by **December 7**.

All the best,

Sam Creany  
The Lot Presents, LLC.  
Producer / Vendor Coordinator  
540.336.9904  
[www.pasturepalooza.com](http://www.pasturepalooza.com)

### 2 attachments

 **Building Dept Notice v.1.pdf**  
36K

 **PP19 Event Plan v.1.pdf**  
237K



Building (under review)

12/5/18

To: James Royston, II, Building Official  
101 Chalmers Court, Suite B  
Berryville, VA 22611

Print Name: \_\_\_\_\_  
Date: \_\_\_\_\_  
Approval Signature: \_\_\_\_\_

Dear Mr. Royston,

This letter is to inform you that I am filing an application with the County for a Special Event Permit for Pasture Palooza Music & Arts Festival at 339 Minniewood Lane, Berryville, VA 22611. I am applying for a 3-year permit (event dates to be determined). As required in the application, I am informing you of our lighting plan, temporary generators and temporary structures.

Lighting will be utilized for the purpose of stage lighting and one light post will be located at the ticket booth. All lights will be located and/or shielded to prevent unreasonable glow beyond the property. I hope these efforts will satisfy you and the county that we are trying to minimize the light pollution concerns associated with such an event. I am glad to say we did not have any complaints regarding excess light in previous years.

I am also informing you that an electrical permit will be acquired for the temporary generators utilized onsite. I will not be able to include this permit with my application as I am submitting it more than 6 months prior to the event and, therefore, prior to your ability to perform an inspection. A temporary building permit will not be required as we are not installing any temporary tents over 900 sq ft.

If you need to contact me either for clarification of or amendment to this plan please do so as soon as possible by replying to [sam@thelotpresents.com](mailto:sam@thelotpresents.com) or calling 540-336-9904. I am submitting the application to the County Administrator on **December 7** for consideration by the Board of Supervisors at their December meeting. If possible please reply with approval.

Again, thank you for your assistance in these preparations.

Sincerely,

Samuel Creany, Event Coordinator  
540-336-9904  
[sam@thelotpresents.com](mailto:sam@thelotpresents.com)

## 2019 Event Plan

The Lot Presents, LLC  
PO Box 321, Boyce, VA 22620  
Phone: (540) 336-9904  
Email: sam@thelotpresents.com

**Name of Event:**

Pasture Palooza Music & Arts Festival

**Location of Event:**

339 Minniewood Lane  
Berryville, VA 22611

**Event Date:**

To be determined

**Estimate number of attendees:**

500-999



## **§ 57.7. Special Event Requirements**

### **General Information:**

#### **a) Event hours.**

##### Dates and Times:

- Start: 2:00p Friday
- End: 12:00p Sunday
- Live music hours:
  - Friday 8:00p – 12:00a
  - Saturday 12:00p - 12:00a

##### Highest attendance date and an estimate of attendance:

- Saturday / 750

#### **b) Admission regulated.**

##### Statement of the plan for controlling admission to the event:

Online and local ticket sales, exchanged for wristbands at the gate that must be worn at all times while on premises.

#### **c) Limits to attendance.**

Total number of tickets to be offered for sale: 999 tickets for sale.

#### **p) Liability insurance.**

Certificate of insurance, with County of Clarke Virginia listed as an additional insured, will be submitted to the Administrator well before the event date.

#### **r) Permission for Entry.**

See attached written Permission for Entry letter signed by Alison Teetor (property owner) and The Lot Presents, LLC.

#### **Adjoining Property Owners.**

See attached copy of the notice sent to all adjoining property owners.

See attached list of all adjacent property owners, with addresses.

## **Health Department Notice and Approvals:**

See attached TLP written plan submitted to the Health Department.

### **d) Water Supply.**

All attendees will be notified that water is available for purchase, but they are encouraged to bring enough for themselves for the entire weekend. A wash station will be rented for sanitation purposes.

### **e) Toilet and/or lavatory facilities.**

Ten, 10, portable lavatory facilities will be rented for the entire weekend. We do not expect to have more than 1,000 attendees so this meets the requirement of 1 lavatory facility per every 100 people.

### **f) Waste management.**

When attendees enter the festival they will be given a trash bag to throw any refuse, trash, garbage, rubbish, and non-recyclable material in. Pasture Palooza Music & Arts Festival will encourage the attendees to recycle aluminum cans and plastic bottles into recycle bins placed throughout the event grounds. Sewage disposal will be the responsibility of the company providing portable lavatory facilities. TLP will provide daily waste removal.

### **k) Food & Beverage.**

The event will have food and beverage vendors. All vendors will be required to receive a temporary permit from the County of Clarke to sell food and beverages. Vendor(s) serving alcohol will also be required to receive the appropriate permit/approval from the Virginia Alcohol Beverage Control Board. Alcoholic beverage sales will be restricted to 21+ area(s) regulated by security personnel. TLP will sign and submit the coordinator's checklist required by the Health Department.

## **Local Fire & Rescue Company Notice and Approvals**

See attached TLP written plan submitted to to John H. Enders Fire Company and Rescue Squad.

### **g) Medical facilities.**

A tented area with direct egress to the county road will be provided for the emergency medical personnel and transport vehicle. Medical personnel will be on site to render Basic First Aid to staff or participants throughout the entire event. Medical personnel will activate local EMS via 911 or by contacting units on site, if they believe the patient's condition to be life threatening.

### **h) Fire Protection.**

Event staff and Campground staff will be instructed as to the location and proper use of on-site fire extinguishers and water supplies. In the event of a large fire emergency, all personnel will utilize the County 911 system.

## **Sheriff's Notice and Approvals**

See attached TLP written plan submitted to the Sheriff.

### **i) Traffic and parking control.**

Approximately ten, 10, staff members will be assigned the duty of parking cars and maintaining all traffic lanes. Attendees camping all weekend will be parked in the main event camping area. Attendees who will be staying for one day at a time and leaving throughout the weekend will be day parking lot on the property. This will allow easy ingress and egress to the property.

### **j) Security.**

On-site security will be provided for the entire event through a contracted security team and off-duty sheriff's. See attached TLP written plan submitted to the Sheriff's Department.

## **Building Department Notice and Approvals**

See attached TLP written plan submitted to the Building Department.

### **l) Lighting/Illumination.**

Outdoor lighting will be utilized.

### **m) Temporary Structures.**

Types of temporary structures: Tents

### **o) Communication system.**

Staff and security will carry portable two-way radios.

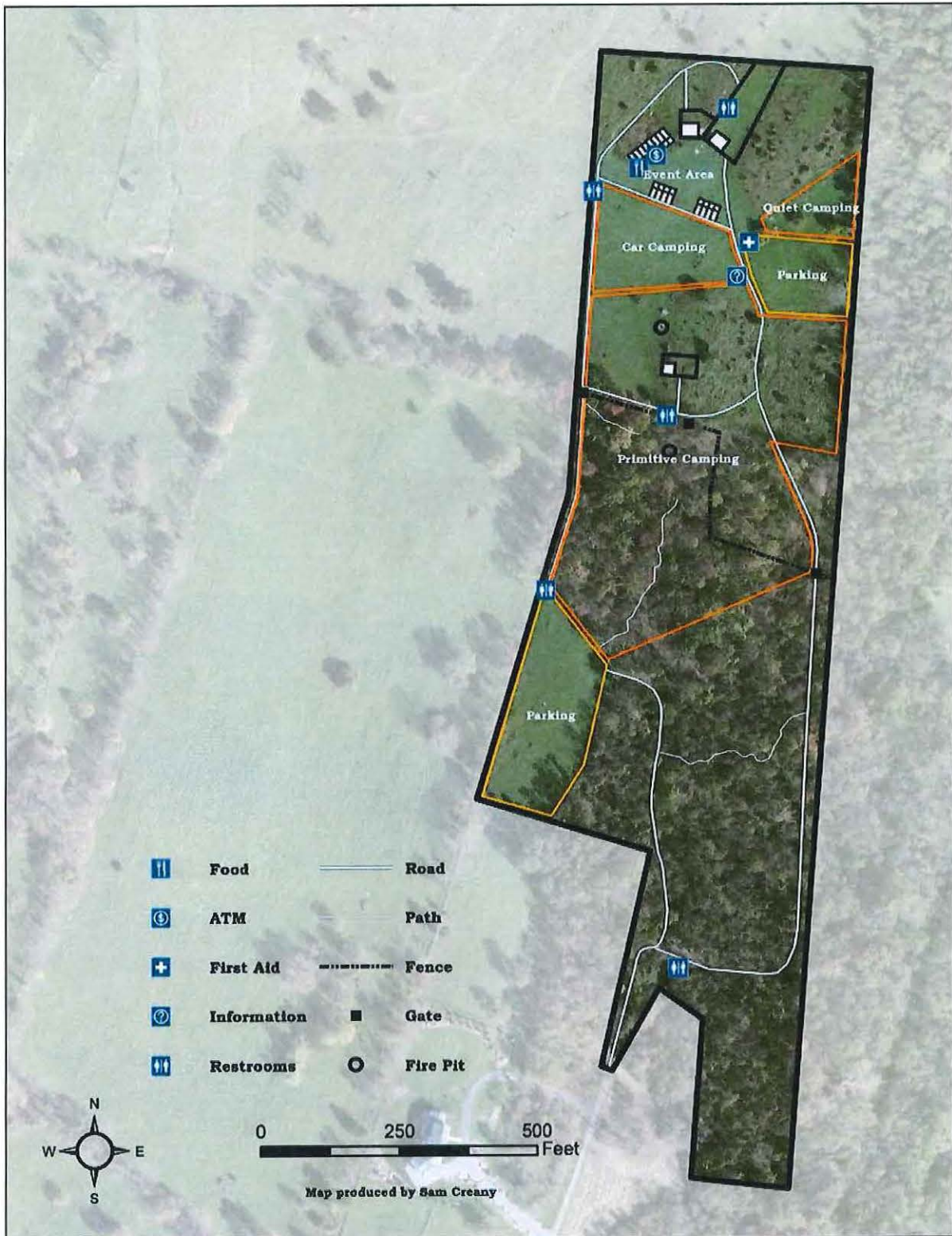
### **p) Necessary Safety Services.**

Additional safety services are not required for these events.

## **Applicant Additional Information:**

**All letters to County Departments, VDOT, and State Police have been sent as of 12/6/18.**

## Map of Festival Grounds



# Clarke County Board of Supervisors

---

## Adjournment

# Clarke County Board of Supervisors

---

## Reports:

1. Building Department
2. Commissioner of the Revenue
3. Emergency Medical Services
4. Zoning and Subdivision Ordinance Update Project Progress Report
5. Year-end Reports
  - Economic Development Advisory Committee
  - Industrial Development Authority
  - Joint Administrative Services Board

Building Department - Clarke County  
New Single Family Dwellings 2018

|           | Battletown | Berryville | Boyce | Chapel | Greenway | Longmarsh | TOTAL | COMMENTS |
|-----------|------------|------------|-------|--------|----------|-----------|-------|----------|
| January   | 2          |            |       |        |          |           | 2     |          |
| February  |            |            | 2     | 1      |          |           | 3     |          |
| March     | 1          | 1          | 1     | 1      | 1        | 1         | 6     |          |
| April     |            |            |       | 2      | 1        |           | 3     |          |
| May       | 1          |            |       |        |          | 1         | 2     |          |
| June      |            |            |       | 3      | 1        |           | 4     |          |
| July      | 1          |            |       |        |          | 2         | 3     |          |
| August    | 1          |            |       | 2      | 1        |           | 4     |          |
| September | 1          | 1          | 1     |        |          |           | 3     |          |
| October   | 1          |            |       |        |          | 1         | 2     |          |
| November  |            |            | 1     |        |          |           | 1     |          |
| December  |            |            | 1     |        | 1        | 1         | 3     |          |
| TOTAL     | 8          | 2          | 6     | 9      | 5        | 6         | 36    |          |



## Project Application Report - Building Dept

For Period: 12/1/2018 to 12/31/2018

| Project Type                      | Project Number | Project Fees |
|-----------------------------------|----------------|--------------|
| Commercial Remodel                | 180550         | 1002.80      |
|                                   | 180552         | 1342.58      |
|                                   | 180575         | 1416.54      |
| Land Disturbance                  | 180556         | 250.00       |
| Residential Addition              | 180558         | 431.22       |
| Residential Deck/Porch<br>no Roof | 180566         | 51.00        |
| Residential Electric<br>Permit    | 180548         | 40.80        |
|                                   | 180557         | 45.90        |
|                                   | 180559         | 40.80        |
|                                   | 180564         | 107.10       |
|                                   | 180578         | 56.10        |
|                                   | 180579         | 45.90        |
|                                   | 180581         | 45.90        |
|                                   | 180582         | 81.60        |
| Residential<br>Fireplace/Chimney  | 180551         | 56.10        |
| Residential Gas Permit            | 180554         | 40.80        |
|                                   | 180555         | 40.80        |
|                                   | 180561         | 40.80        |
|                                   | 180569         | 40.80        |
|                                   | 180573         | 40.80        |
|                                   | 180577         | 40.80        |
| Residential Mechanical<br>Permit  | 180560         | 40.80        |
|                                   | 180562         | 81.60        |
|                                   | 180563         | 40.80        |
|                                   | 180565         | 81.60        |
|                                   | 180583         | 40.80        |
| Residential New                   | 180553         | 1393.83      |
|                                   | 180580         | 1415.01      |
| Residential Plumbing<br>Permit    | 180568         | 71.40        |
| Residential Remodel               | 180567         | 985.58       |
|                                   | 180570         | 265.20       |
|                                   | 180571         | 102.00       |

## Project Application Report - Building Dept

For Period: 12/1/2018 to 12/31/2018

| Project Type        | Project Number | Project Fees |
|---------------------|----------------|--------------|
| Residential Remodel | 180572         | 102.00       |
|                     | 180574         | 454.93       |
| Sign Permit         | 180576         | 61.20        |
| Total               |                | 10395.89     |

## Project Application Report - Building Dept

For Period: 12/1/2018 to 12/31/2018

| Project Type                   | Project Number | Location                | Owner                              | Estimated Building Value | Fees<br>Blank =<br>collected by<br>another dept | Project Status        |
|--------------------------------|----------------|-------------------------|------------------------------------|--------------------------|---|-----------------------|
| Commercial Remodel             | 180550         | 322 N BUCKMARSH ST      | NORTH BUCKMARSH STREET LLC         | \$179,761                | \$1,002.80                                      | ISSUED W/O CONDITIONS |
|                                | 180552         | 101 S BUCKMARSH ST      | VERIZON                            | \$292,500                | \$1,342.58                                      | ISSUED W/O CONDITIONS |
|                                | 180575         | 409 MCNEILL DR          | RETAIL BUSINESS SERVICES           | \$137,700                | \$1,416.54                                      | ISSUED W/O CONDITIONS |
| Land Disturbance               | 180556         | 264 LAKEVIEW LN         | FLEISCHMANN JEROME M & KATHY S     | \$0                      | \$250.00  | ISSUED W/O CONDITIONS |
| Residential Addition           | 180558         | 2468 MOUNT CARMEL RD    | RIPLEY DAMIAN C & DEVON L BOWDEN   | \$27,261                 | \$431.22  | ISSUED W/O CONDITIONS |
| Residential Deck/Porch no Roof | 180566         | 204 EARLY DR            | YAVELBERG JOSH                     | \$0                      | \$51.00   | ISSUED W/O CONDITIONS |
| Residential Electric Permit    | 180548         | 562 TRIPLE J RD         | FAIRMAN DONALD R & ROSE M          | \$0                      | \$40.80   | ISSUED W/O CONDITIONS |
|                                | 180557         | 5 BEL VOI DR            | ROYER RICHARD W                    | \$0                      | \$45.90   | ISSUED W/O CONDITIONS |
|                                | 180559         | 126 MOORE DR            | AIRLIE ENTERPRISES L C             | \$0                      | \$40.80   | ISSUED W/O CONDITIONS |
|                                | 180564         | 17991 RAVEN ROCKS RD    | ZENIE NOON                         | \$0                      | \$107.10  | ISSUED W/O CONDITIONS |
|                                | 180578         | 775 WADESVILLE RD       | HART GREGORY H & SHARON P          | \$0                      | \$56.10   | APP PENDING           |
|                                | 180579         | 115 RICE ST             | OHIGGINS STEELE T                  | \$0                      | \$45.90   | ISSUED W/O CONDITIONS |
|                                | 180581         | 155 SUMMERVILLE RD      | ARMENTROUT KEN                     | \$0                      | \$45.90   | ISSUED W/O CONDITIONS |
|                                | 180582         | 240 ASHLEY WOODS LN     | KEISTER, BRADLEY                   | \$0                      | \$81.60   | ISSUED W/O CONDITIONS |
| Residential Fireplace/Chimney  | 180551         | 19094 BLUE RIDGE MTN RD | MALYSHEV, PETER                    | \$0                      | \$56.10   | CLOSED W/ FINAL       |
| Residential Gas Permit         | 180554         | 262 MEADOWS LN          | KEMPSON KENNETH & CATHARINE MACKAY | \$0                      | \$40.80   | ISSUED W/O CONDITIONS |

## Project Application Report - Building Dept

For Period: 12/1/2018 to 12/31/2018

| Project Type                  | Project Number | Location            | Owner                              | Estimated Building Value | Fees<br>Blank =<br>collected by<br>another dept | Project Status        |
|-------------------------------|----------------|---------------------|------------------------------------|--------------------------|---|-----------------------|
| Residential Gas Permit        | 180555         | 400 DELANY CT       | RICHARD JEFFERIES                  | \$0                      | \$40.80   | CLOSED W/ FINAL       |
|                               | 180561         | 220 HENDERSON CT    | CURRY, DON                         | \$0                      | \$40.80   | CLOSED W/ FINAL       |
|                               | 180569         | 152 HERMITAGE BLVD  | MURRAY DALIBORKA & NICHOLAS        | \$0                      | \$40.80   | ISSUED W/O CONDITIONS |
|                               | 180573         | 309 DUNLAP DR       | RESHETAR JOSEPH M & KIMBERLY L     | \$0                      | \$40.80   | ISSUED W/O CONDITIONS |
|                               | 180577         | 1045 SUGAR HILL RD  | GROVES ADAM                        | \$0                      | \$40.80   | ISSUED W/O CONDITIONS |
| Residential Mechanical Permit | 180560         | 635 E MAIN ST       | FRONTIER ENTERPRISES LLC           | \$0                      | \$40.80   | ISSUED W/O CONDITIONS |
|                               | 180562         | 1527 CALMES NECK LN | FERGUSON JAMES & SARAH HEINTZMAN   | \$0                      | \$81.60   | APP PENDING           |
|                               | 180563         | 116 E MAIN ST       | HOBBS HOLDINGS LLC                 | \$0                      | \$40.80   | ISSUED W/O CONDITIONS |
|                               | 180565         | 113 ROSEVILLE CT    | MILLER DANIEL L & JOYCE H          | \$0                      | \$81.60   | ISSUED W/O CONDITIONS |
|                               | 180583         | 38 POSSUM HOLLOW LN | SOWERS LEWIS M & MARY K            | \$0                      | \$40.80   | ISSUED W/O CONDITIONS |
| Residential New               | 180553         | 1245 MOOSE RD       | LANHAM JAMES B & CATHERINE R       | \$135,517                | \$1,393.83                                      | ISSUED W/O CONDITIONS |
|                               | 180580         | 264 LAKEVIEW LN     | FLEISCHMANN JEROME M & KATHY S     | \$194,601                | \$1,415.01                                      | ISSUED W/O CONDITIONS |
| Residential Plumbing Permit   | 180568         | 300 HENDERSON CT    | COX BRIAN C & ELIZABETH E          | \$0                      | \$71.40   | ISSUED W/O CONDITIONS |
| Residential Remodel           | 180567         | 596 LAUREL LN       | DUNPHY THERESA                     | \$112,500                | \$985.58  | ISSUED W/O CONDITIONS |
|                               | 180570         | 262 MEADOWS LN      | KEMPSON KENNETH & CATHARINE MACKAY | \$0                      | \$265.20  | ISSUED W/O CONDITIONS |
|                               | 180571         | 420 DUNLAP DR       | WIEGAND MICHAEL E                  | \$0                      | \$102.00  | ISSUED W/O CONDITIONS |

## Project Application Report - Building Dept

For Period: 12/1/2018 to 12/31/2018

| Project Type        | Project Number | Location           | Owner                 | Estimated Building Value | Fees<br><small>Blank = collected by another dept</small> | Project Status        |
|---------------------|----------------|--------------------|-----------------------|--------------------------|--|-----------------------|
| Residential Remodel | 180572         | 183 HAWTHORNE LN   | LEILA LARA            | \$0                      | \$102.00   | ISSUED W/O CONDITIONS |
|                     | 180574         | 1012 STRINGTOWN RD | HARLOW TIFFANY H      | \$60,225                 | \$454.93   | ISSUED W/O CONDITIONS |
| Sign Permit         | 180576         | 420 MCNEILL DR     | MCDONALD'S RESTAURANT | \$0                      | \$61.20  | CLOSED W/ FINAL       |

01/09/2019 10:23  
2600acather

Clarke County  
INSPECTION REPORT

P 1  
piinhrpt

Building Inspections

INSPECTIONS PERFORMED: 12/01/18 to 12/31/18

| INSPECTION           | DATE     | BY | RSLT | PROJECT    | CITY | AREA | LOCATION               | OWNER                   | INSP ID | T |
|----------------------|----------|----|------|------------|------|------|------------------------|-------------------------|---------|---|
| Final Closing Buildi | 12/03/18 | BT | P    | Accessory  | BVL  | BVL  | 109 NORTH BUCKMARSH ST | TAYLOR ERIKA ERNA       | 6675    | A |
| Water Line           | 12/03/18 | BT | P    | Accessory  | WHPT | GNWY | 1136 BORDENS SPRING RD | ROBERTS, CAROLINE       | 8407    | A |
| Framing              | 12/03/18 | BT | P    | Com Access | BYC  | CHPL | 797 BISHOP MEADE RD    | TRS OF DIOCESE OF VIRGI | 8391    | A |
| Footings             | 12/03/18 | BT | P    | Deck/Porch | BVL  | LNGM | 435 PIERCE RD          | ODIORNE FAMILY TRUST    | 8397    | A |
| Final Closing Electr | 12/03/18 | BT | P    | Garage     | CLK  | BLTN | 79 HAWTHORNE LN        | JAMES A. COLVILLE       | 8394    | A |
| Final Closing Plumbi | 12/03/18 | BT | P    | Garage     | CLK  | BLTN | 79 HAWTHORNE LN        | JAMES A. COLVILLE       | 8395    | A |
| Final Closing Buildi | 12/03/18 | BT | F    | Garage     | CLK  | BLTN | 79 HAWTHORNE LN        | JAMES A. COLVILLE       | 4577    | A |
| Final Closing Mechan | 12/03/18 | BT | P    | Garage     | CLK  | BLTN | 79 HAWTHORNE LN        | JAMES A. COLVILLE       | 8396    | A |
| Electric Service     | 12/04/18 | BT | P    | Accessory  | WHPT | GNWY | 1136 BORDENS SPRING RD | ROBERTS, CAROLINE       | 8429    | A |
| Ditch Electric       | 12/04/18 | BT | P    | Accessory  | BLMT | BLTN | 188 ASHLEY WOODS LN    | NEWMAN GEORGE J & JOAN  | 8415    | A |
| Final Closing Mechan | 12/04/18 | BT | P    | MechPer-R  | BLMT | BLTN | 512 REDBUD LN          | MITCHELL DENNIS R & JAN | 8301    | A |
| Footings             | 12/04/18 | BT | P    | NRSF       | BYC  | BYC  | 221 NORTH GREENWAY AVE | CAPITAL BUILDERS LLC    | 8223    | A |
| Insulation           | 12/04/18 | BT | P    | Com Access | BYC  | CHPL | 797 BISHOP MEADE RD    | TRS OF DIOCESE OF VIRGI | 7520    | A |
| Final Closing Electr | 12/04/18 | BT | P    | Elec Per-C | BVL  | BLTN | 120 COOL SPRING LN     | COMMUNITY OF CISTERCIAN | 8344    | A |
| Electrical Rough In  | 12/04/18 | BT | P    | Rmdl Res   | CLK  | BLTN | 6281 HARRY BYRD HWY    | SARAH KATHERINE BRENNAN | 8419    | A |
| Mechanical Rough In  | 12/04/18 | BT | P    | Rmdl Res   | CLK  | BLTN | 6281 HARRY BYRD HWY    | SARAH KATHERINE BRENNAN | 8420    | A |
| Plumbing Rough In    | 12/04/18 | BT | P    | Rmdl Res   | CLK  | BLTN | 6281 HARRY BYRD HWY    | SARAH KATHERINE BRENNAN | 8421    | A |
| Framing              | 12/04/18 | BT | P    | Rmdl Res   | CLK  | BLTN | 6281 HARRY BYRD HWY    | SARAH KATHERINE BRENNAN | 7961    | A |
| Framing              | 12/04/18 | BT | P    | Accessory  | WHPT | GNWY | 1136 BORDENS SPRING RD | ROBERTS, CAROLINE       | 8107    | A |
| Electrical Rough In  | 12/04/18 | BT | P    | Accessory  | WHPT | GNWY | 1136 BORDENS SPRING RD | ROBERTS, CAROLINE       | 8416    | A |
| Mechanical Rough In  | 12/04/18 | BT | P    | Accessory  | WHPT | GNWY | 1136 BORDENS SPRING RD | ROBERTS, CAROLINE       | 8417    | A |
| Electrical Rough In  | 12/04/18 | BT | P    | NRSF       | BYC  | CHPL | 3444 CALMES NECK LN    | BATHON STEPHEN R & GAYL | 5928    | A |
| Electric Service     | 12/05/18 | BT | P    | ELEC RES   | BVL  | BVL  | 405 WALNUT ST          | RUTHERFORD WALTER N JR  | 8346    | A |
| Final Closing Buildi | 12/05/18 | BT | P    | Deck/Porch | BYC  | BYC  | 3 OLD CHAPEL AVE       | GARLITZ, BOB            | 7867    | A |
| Final Closing Electr | 12/05/18 | BT | P    | ELEC RES   | BVL  | BVL  | 405 WALNUT ST          | RUTHERFORD WALTER N JR  | 8347    | A |
| Framing              | 12/05/18 | BT | P    | NRSF       | BYC  | CHPL | 835 SUNNY CANYON LN    | BROWN ANDREW KEONE & ZO | 8430    | A |
| Gas Line Pressure Te | 12/06/18 | BT | P    | NRSF       | BVL  | BVL  | 127 OLD TAVERN LN      | WARFIELD HOMES INC      | 8440    | A |
| Plumbing Groundworks | 12/06/18 | BT | P    | Rmdl Res   | BVL  | BVL  | 215 NORTH BUCKMARSH ST | KERBY, JULIE            | 8435    | A |
| Framing              | 12/06/18 | BT | P    | Rmdl Res   | BVL  | CHPL | 1511 ELLERSLIE RD      | JOHN FERRELL AMENDED AN | 8437    | A |
| Final Closing Electr | 12/06/18 | BT | P    | ELEC RES   | BVL  | LNGM | 562 TRIPLE J RD        | FAIRMAN DONALD R & ROSE | 8410    | A |
| Final Closing Electr | 12/06/18 | BT | P    | Add Res    | BVL  | LNGM | 1852 CRUMS CHURCH RD   | GEORGE, JAMES           | 8433    | A |
| Final Closing Plumbi | 12/06/18 | BT | P    | Add Res    | BVL  | LNGM | 1852 CRUMS CHURCH RD   | GEORGE, JAMES           | 8434    | A |
| Final Closing Buildi | 12/06/18 | BT | P    | Add Res    | BVL  | LNGM | 1852 CRUMS CHURCH RD   | GEORGE, JAMES           | 7655    | A |
| Ditch Electric       | 12/07/18 | BT | P    | NRSF       | BVL  | BVL  | 127 OLD TAVERN LN      | WARFIELD HOMES INC      | 8441    | A |
| Draintile            | 12/07/18 | BT | P    | NRSF       | BLMT | BLTN | 109 BELL HOLLOW LN     | SFERRA NICHOLAS A       | 8432    | A |
| Electrical Rough In  | 12/07/18 | BT | P    | NRSF       | BLMT | BLTN | 109 BELL HOLLOW LN     | SFERRA NICHOLAS A       | 7633    | A |
| Framing              | 12/07/18 | BT | PWC  | NRSF       | BLMT | BLTN | 109 BELL HOLLOW LN     | SFERRA NICHOLAS A       | 7631    | A |
| Fireplace Throat     | 12/07/18 | BT | P    | NRSF       | BVL  | BLTN | 3031 CASTLEMAN RD      | MABBITT, BRUCE          | 8454    | A |
| Mechanical Rough In  | 12/07/18 | BT | P    | Rmdl Res   | BVL  | BVL  | 120 BLUE RIDGE ST      | MCCARTY JAMES W JR & CH | 8462    | A |
| Electric Service     | 12/07/18 | BT | P    | NRSF       | BLMT | BLTN | 109 BELL HOLLOW LN     | SFERRA NICHOLAS A       | 7634    | A |
| Plumbing Rough In    | 12/07/18 | BT | P    | NRSF       | BLMT | BLTN | 109 BELL HOLLOW LN     | SFERRA NICHOLAS A       | 7637    | A |
| Mechanical Rough In  | 12/07/18 | BT | P    | NRSF       | BLMT | BLTN | 109 BELL HOLLOW LN     | SFERRA NICHOLAS A       | 7639    | A |
| Insulation           | 12/07/18 | BT | P    | Rmdl Res   | CLK  | BLTN | 6281 HARRY BYRD HWY    | SARAH KATHERINE BRENNAN | 7962    | A |
| Water Line           | 12/07/18 | BT | P    | NRSF       | BVL  | BVL  | 27 BYRD AVE            | FORDENBACHER MARK       | 8438    | A |
| Sewer Line           | 12/07/18 | BT | P    | NRSF       | BVL  | BVL  | 27 BYRD AVE            | FORDENBACHER MARK       | 8439    | A |
| Electric Service     | 12/12/18 | BT | P    | Rmdl Res   | BVL  | CHPL | 41 LANHAM LN           | CORBET, PATRICIA        | 8510    | A |
| FOUNDATION           | 12/12/18 | BT | P    | Rmdl Comm  | BYC  | CHPL | 2049 MILLWOOD RD       | LOCKE AND COMPANY LLC   | 8498    | A |
| Draintile            | 12/12/18 | BT | P    | Rmdl Comm  | BYC  | CHPL | 2049 MILLWOOD RD       | LOCKE AND COMPANY LLC   | 8499    | A |
| Footings             | 12/12/18 | BT | P    | Rmdl Res   | BYC  | CHPL | 997 BISHOP MEADE RD    | HUMMER FLORENCE A ESTAT | 6228    | A |
| Backfill             | 12/12/18 | BT | P    | Add Res    | BYC  | GNWY | 719 MORNING STAR LN    | HAYNIE, TALON           | 8505    | A |
| Draintile            | 12/12/18 | BT | P    | Add Res    | BYC  | GNWY | 719 MORNING STAR LN    | HAYNIE, TALON           | 8506    | A |
| Final Closing Electr | 12/12/18 | BT | P    | Rmdl Res   | BVL  | BVL  | 815 MCGUIRE CIR        | SKORDINSKI STEPHEN J &  | 8500    | A |

01/09/2019 10:23  
2600acather

Clarke County  
INSPECTION REPORT

P 2  
piinhrpt

Building Inspections

INSPECTIONS PERFORMED: 12/01/18 to 12/31/18

| INSPECTION           | DATE     | BY | RSLT | PROJECT    | CITY | AREA | LOCATION                | OWNER                   | INSP ID | T |
|----------------------|----------|----|------|------------|------|------|-------------------------|-------------------------|---------|---|
| Final Closing Plumbi | 12/12/18 | BT | P    | Rmdl Res   | BVL  | BVL  | 815 MCGUIRE CIR         | SKORDINSKI STEPHEN J &  | 8501    | A |
| Final Closing Buildi | 12/12/18 | BT | P    | Rmdl Res   | BVL  | BVL  | 815 MCGUIRE CIR         | SKORDINSKI STEPHEN J &  | 8124    | A |
| Final Closing Mechan | 12/12/18 | BT | P    | MechPer-R  | PRS  | CHPL | 20751 BLUE RIDGE MTN RD | SMALLIGAN PAUL T & MARY | 8276    | A |
| Footings             | 12/12/18 | BT | P    | Add Res    | WHPT | GNWY | 1434 BERRYS FERRY RD    | HILLIARD MARGARET W     | 8400    | A |
| Slab Basement        | 12/12/18 | BT | P    | NRSF       |      |      | 221 NORTH GREENWAY AVE  | CAPITAL BUILDERS LLC    | 8507    | A |
| Plumbing Groundworks | 12/12/18 | BT | P    | NRSF       |      | BYC  | 221 NORTH GREENWAY AVE  | CAPITAL BUILDERS LLC    | 8229    | A |
| Final Closing Gas    | 12/13/18 | BT | P    | NRSF       | BLMT |      | 195 PINE GROVE RD       | LICKING VALLEY CONSTRUC | 8536    | A |
| Waterproofing/Pargin | 12/13/18 | BT | P    | NRSF       |      |      | 221 NORTH GREENWAY AVE  | CAPITAL BUILDERS LLC    | 8508    | A |
| DrainTile            | 12/13/18 | BT | P    | NRSF       |      |      | 221 NORTH GREENWAY AVE  | CAPITAL BUILDERS LLC    | 8509    | A |
| Final Closing Electr | 12/13/18 | BT | P    | NRSF       | BYC  | BYC  | 124 GRAND OAKS DR       | RICHMOND AMERICAN HOMES | 7575    | A |
| Footings             | 12/13/18 | BT | P    | NRSF       |      |      | 124 GROUSE RIDGE LN     | WRIGHT PAMELA M TRUSTEE | 8502    | A |
| Final Closing Plumbi | 12/13/18 | BT | P    | NRSF       | BYC  | BYC  | 124 GRAND OAKS DR       | RICHMOND AMERICAN HOMES | 7578    | A |
| Final Closing Mechan | 12/13/18 | BT | P    | NRSF       | BYC  | BYC  | 124 GRAND OAKS DR       | RICHMOND AMERICAN HOMES | 7580    | A |
| Final Closing Buildi | 12/13/18 | BT | P    | NRSF       | BYC  | BYC  | 124 GRAND OAKS DR       | RICHMOND AMERICAN HOMES | 7581    | A |
| Electric Service     | 12/13/18 | BT | P    | ELEC RES   | BLMT | BLTN | 18777 BLUE RIDGE MTN RD | DUNPHY MARTIN & THEREA  | 6988    | A |
| Final Closing Electr | 12/13/18 | BT | P    | NRSF       | BLMT |      | 195 PINE GROVE RD       | LICKING VALLEY CONSTRUC | 6728    | A |
| Final Closing Plumbi | 12/13/18 | BT | P    | NRSF       | BLMT |      | 195 PINE GROVE RD       | LICKING VALLEY CONSTRUC | 6731    | A |
| Final Closing Mechan | 12/13/18 | BT | P    | NRSF       | BLMT |      | 195 PINE GROVE RD       | LICKING VALLEY CONSTRUC | 6733    | A |
| Final Closing Buildi | 12/13/18 | BT | F    | NRSF       | BLMT |      | 195 PINE GROVE RD       | LICKING VALLEY CONSTRUC | 6734    | A |
| Final Closing Electr | 12/13/18 | BT | P    | ELEC RES   | BVL  | BVL  | 126 MOORE DR            | AIRLIE ENTERPRISES L C  | 8487    | A |
| Final Closing Gas    | 12/13/18 | BT | P    | Add Res    | BVL  | LNGM | 150 LONGMARSH RD        | WILLIAM RICHARD WITTA J | 8525    | A |
| Final Closing Plumbi | 12/13/18 | BT | PRT  | Add Res    | BVL  | LNGM | 150 LONGMARSH RD        | WILLIAM RICHARD WITTA J | 8526    | A |
| FOUNDATION           | 12/13/18 | BT | P    | Solar      | BVL  | BLTN | 3831 HARRY BYRD HWY     | WILLIAMS PAUL JR & PAUL | 8527    | A |
| Electric Service     | 12/13/18 | BT | P    | ELEC RES   | BVL  | BVL  | 5 BEL VOI DR            | ROYER RICHARD W         | 8477    | A |
| Final Closing Electr | 12/13/18 | BT | P    | ELEC RES   | BVL  | BVL  | 5 BEL VOI DR            | ROYER RICHARD W         | 8478    | A |
| Final Closing Buildi | 12/14/18 | BT | P    | NRSF       | BLMT |      | 195 PINE GROVE RD       | LICKING VALLEY CONSTRUC | 8537    | A |
| Final Closing Gas    | 12/14/18 | BT | P    | NRSF       | BYC  |      | 131 CALMES NECK LN      | MANGOLAS CHRISTOPHER MA | 8535    | A |
| Slab Garage/Carport  | 12/14/18 | BT | P    | Garage     | BVL  | CHPL | 981 ANNFIELD RD         | WARFIELD WAYNE S JR & D | 8538    | A |
| Final Closing Electr | 12/14/18 | BT | P    | NRSF       | BYC  |      | 131 CALMES NECK LN      | MANGOLAS CHRISTOPHER MA | 7057    | A |
| Final Closing Plumbi | 12/14/18 | BT | P    | NRSF       | BYC  |      | 131 CALMES NECK LN      | MANGOLAS CHRISTOPHER MA | 7060    | A |
| Final Closing Mechan | 12/14/18 | BT | P    | NRSF       | BYC  |      | 131 CALMES NECK LN      | MANGOLAS CHRISTOPHER MA | 7062    | A |
| Final Closing Buildi | 12/14/18 | BT | P    | NRSF       | BYC  |      | 131 CALMES NECK LN      | MANGOLAS CHRISTOPHER MA | 7063    | A |
| Final Closing Electr | 12/14/18 | BT | P    | Rmdl Res   | CLK  | BLTN | 19548 BLUE RIDGE MTN RD | MARK STIVERS            | 1707    | A |
| Plumbing Rough In    | 12/14/18 | BT | P    | NRSF       | BVL  | BVL  | 27 BYRD AVE             | FORDENBACHER MARK       | 7675    | A |
| Framing              | 12/14/18 | BT | P    | Add Res    | BVL  | BVL  | 7 BEL VOI DR            | POLO LILIANA & LOUIS A  | 8213    | A |
| Footings             | 12/14/18 | BT | P    | NRSF       | BVL  | LNGM | 1083 WADESVILLE RD      | SOLORIO GUADALUPE & ARS | 8020    | A |
| Final Closing Electr | 12/14/18 | BT | P    | ELEC RES   | BVL  | LNGM | 217 KIMBLE RD           | CAYLOR BARBARA A        | 7950    | A |
| Insulation           | 12/14/18 | BT | P    | NRSF       | BLMT | BLTN | 109 BELL HOLLOW LN      | SFERRA NICHOLAS A       | 8504    | A |
| Final Closing Plumbi | 12/14/18 | BT | P    | Rmdl Res   | CLK  | BLTN | 19548 BLUE RIDGE MTN RD | MARK STIVERS            | 1709    | A |
| Final Closing Mechan | 12/14/18 | BT | P    | Rmdl Res   | CLK  | BLTN | 19548 BLUE RIDGE MTN RD | MARK STIVERS            | 1712    | A |
| Final Closing Buildi | 12/14/18 | BT | P    | Rmdl Res   | CLK  | BLTN | 19548 BLUE RIDGE MTN RD | MARK STIVERS            | 1715    | A |
| Slab Porch/Deck      | 12/14/18 | BT | P    | Deck/Porch | BYC  | GNWY | 501 PIONEER LN          | WOOLFENDEN MARK A & RHO | 8533    | A |
| Plumbing Groundworks | 12/17/18 | BT | P    | NRSF       |      |      | 124 GROUSE RIDGE LN     | WRIGHT PAMELA M TRUSTEE | 8524    | A |
| Electrical Rough In  | 12/17/18 | BT | P    | Accessory  | BVL  | BVL  | 105 ISAAC CT            | PARKER, TOM             | 8542    | A |
| Framing              | 12/17/18 | BT | P    | Accessory  | BVL  | BVL  | 105 ISAAC CT            | PARKER, TOM             | 8131    | A |
| Gas Rough In         | 12/17/18 | BT | P    | Rmdl Res   | BYC  | CHPL | 997 BISHOP MEADE RD     | HUMMER FLORENCE A ESTAT | 8539    | A |
| Plumbing Rough In    | 12/17/18 | BT | P    | Rmdl Res   | BYC  | CHPL | 997 BISHOP MEADE RD     | HUMMER FLORENCE A ESTAT | 8540    | A |
| Electric Service     | 12/17/18 | BT | P    | Solar      | BYC  | GNWY | 1260 WESTFIELD FARM LN  | JONES MATTHEW & DIANE S | 8201    | A |
| Final Closing Electr | 12/17/18 | BT | P    | Solar      | BYC  | GNWY | 1260 WESTFIELD FARM LN  | JONES MATTHEW & DIANE S | 8202    | A |
| Final Closing Buildi | 12/17/18 | BT | P    | Solar      | BYC  | GNWY | 1260 WESTFIELD FARM LN  | JONES MATTHEW & DIANE S | 8203    | A |
| Insulation           | 12/17/18 | BT | P    | Nw Commrc1 | BVL  | BVL  | 16 ROSEMONT MANOR LN    | GENDA LAND HOLDINGS LLC | 8541    | A |
| Slab Garage/Carport  | 12/18/18 | BT | P    | Accessory  | BVL  | BVL  | 105 ISAAC CT            | PARKER, TOM             | 8544    | A |



01/09/2019 10:23  
2600acather

Clarke County  
INSPECTION REPORT

P 3  
piinhrpt

Building Inspections

INSPECTIONS PERFORMED: 12/01/18 to 12/31/18

| INSPECTION           | DATE     | BY | RSLT | PROJECT   | CITY | AREA | LOCATION                 | OWNER                    | INSP ID | T |
|----------------------|----------|----|------|-----------|------|------|--------------------------|--------------------------|---------|---|
| Electrical Rough In  | 12/18/18 | BT | P    | Rmdl Res  | BYC  | CHPL | 997 BISHOP MEADE RD      | HUMMER FLORENCE A ESTAT  | 8553    | A |
| Framing              | 12/18/18 | BT | P    | Rmdl Res  | BYC  | CHPL | 997 BISHOP MEADE RD      | HUMMER FLORENCE A ESTAT  | 6229    | A |
| Mechanical Rough In  | 12/18/18 | BT | P    | Rmdl Res  | BYC  | CHPL | 997 BISHOP MEADE RD      | HUMMER FLORENCE A ESTAT  | 8554    | A |
| Electric Service     | 12/18/18 | BT | P    | Gas Per-R | BVL  | LNGM | 1318 OLD CHARLES TOWN RD | NORMAN DEB B             | 8564    | A |
| Final Closing Gas    | 12/18/18 | BT | P    | Gas Per-R | BVL  | BVL  | 400 DELANY CT            | RICHARD JEFFERIES        | 8467    | A |
| Gas Line             | 12/18/18 | BT | F    | NRSF      | BYC  | CHPL | 3444 CALMES NECK LN      | BATHON STEPHEN R & GAYL  | 8543    | A |
| Gas Line             | 12/19/18 | BT | P    | NRSF      | BYC  | CHPL | 3444 CALMES NECK LN      | BATHON STEPHEN R & GAYL  | 8657    | A |
| Final Closing Buildi | 12/19/18 | BT | P    | FP/Chmny  | BLMT | BLTN | 19094 BLUE RIDGE MTN RD  | MALYSHEV, PETER          | 8561    | A |
| Final Closing Electr | 12/19/18 | BT | F    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 4722    | A |
| Concrete Form        | 12/19/18 | BT | P    | NRSF      | BVL  | LNGM | 1245 MOOSE RD            | LANHAM JAMES B & CATHER  | 8545    | A |
| Framing              | 12/19/18 | BT | P    | Accessory | BVL  | LNGM | 2283 SWIMLEY RD          | KELLY A MOBERG           | 8552    | A |
| Footings             | 12/19/18 | BT | P    | Rmdl Comm | BVL  | BVL  | 322 NORTH BUCKMARSH ST   | NORTH BUCKMARSH STREET   | 8411    | A |
| Gas Line Pressure Te | 12/19/18 | BT | P    | NRSF      | BYC  | CHPL | 3444 CALMES NECK LN      | BATHON STEPHEN R & GAYL  | 8573    | A |
| Final Closing Plumbi | 12/19/18 | BT | F    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 4725    | A |
| Framing              | 12/19/18 | BT | F    | Rmdl Res  | BVL  | BVL  | 120 BLUE RIDGE ST        | MCCARTY JAMES W JR & CH  | 8562    | A |
| Electrical Rough In  | 12/19/18 | BT | P    | Rmdl Res  | BVL  | BVL  | 120 BLUE RIDGE ST        | MCCARTY JAMES W JR & CH  | 8563    | A |
| Final Closing Mechan | 12/20/18 | BT | P    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 4727    | A |
| Final Closing Buildi | 12/20/18 | BT | P    | Add Res   | BVL  | BVL  | 7 BEL VOI DR             | POLO LILIANA & LOUIS A   | 8215    | A |
| Electrical Rough In  | 12/20/18 | BT | P    | Add Res   | BVL  | BVL  | 7 BEL VOI DR             | POLO LILIANA & LOUIS A   | 8578    | A |
| Final Closing Buildi | 12/20/18 | BT | F    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 4728    | A |
| Final Closing Mechan | 12/20/18 | BT | P    | Add Res   | BVL  | CHPL | 2704 SPRINGSBURY RD      | FRED W. DODSON, II       | 8579    | A |
| Final Closing Electr | 12/20/18 | BT | P    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 8594    | A |
| Final Closing Plumbi | 12/20/18 | BT | F    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 8595    | A |
| Final Closing Gas    | 12/20/18 | BT | F    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 8596    | A |
| Gas Line Pressure Te | 12/20/18 | BT | P    | NRSF      |      |      | 124 GROUSE RIDGE LN      | WRIGHT PAMELA M TRUSTEE  | 8555    | A |
| Final Closing Gas    | 12/20/18 | BT | P    | Gas Per-R | BVL  | BVL  | 152 HERMITAGE BLVD       | MURRAY DALIBORKA & NICH  | 8560    | A |
| Final Closing Electr | 12/20/18 | BT | P    | Add Res   | BVL  | BVL  | 7 BEL VOI DR             | POLO LILIANA & LOUIS A   | 8605    | A |
| Insulation           | 12/21/18 | BT | P    | Rmdl Res  | BVL  | BVL  | 120 BLUE RIDGE ST        | MCCARTY JAMES W JR & CH  | 7029    | A |
| Mechanical Rough In  | 12/21/18 | BT | P    | NRSF      | BVL  | BVL  | 27 BYRD AVE              | FORDENBACHER MARK        | 7677    | A |
| Electrical Rough In  | 12/21/18 | BT | P    | NRSF      | BVL  | BVL  | 27 BYRD AVE              | FORDENBACHER MARK        | 7671    | A |
| Electric Service     | 12/21/18 | BT | P    | NRSF      | BVL  | BVL  | 27 BYRD AVE              | FORDENBACHER MARK        | 7672    | A |
| Framing              | 12/21/18 | BT | P    | NRSF      | BVL  | BVL  | 27 BYRD AVE              | FORDENBACHER MARK        | 7669    | A |
| Final Closing Electr | 12/21/18 | BT | P    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 8606    | A |
| Final Closing Plumbi | 12/21/18 | BT | P    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 8607    | A |
| Water Line           | 12/21/18 | BT | P    | NRSF      |      |      | 1391 BEECHWOOD LN        | THIEL JOHN R & EVELYN J  | 8611    | A |
| Electrical Rough In  | 12/21/18 | BT | P    | Rmdl Res  | BYC  | CHPL | 997 BISHOP MEADE RD      | HUMMER FLORENCE A ESTAT  | 8615    | A |
| Final Closing Mechan | 12/21/18 | BT | P    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 8608    | A |
| Final Closing Gas    | 12/21/18 | BT | P    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 8609    | A |
| Final Closing Buildi | 12/21/18 | BT | PRT  | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 8610    | A |
| Electric Service     | 12/26/18 | BT | P    | Solar     | BYC  | CHPL | 2015 OLD CHAPEL RD       | SHAFAER SHANNON C & SARA | 8204    | A |
| Final Closing Electr | 12/26/18 | BT | P    | Solar     | BYC  | CHPL | 2015 OLD CHAPEL RD       | SHAFAER SHANNON C & SARA | 8205    | A |
| Final Closing Buildi | 12/26/18 | BT | P    | Solar     | BYC  | CHPL | 2015 OLD CHAPEL RD       | SHAFAER SHANNON C & SARA | 8206    | A |
| Electric Service     | 12/26/18 | BT | P    | NRSF      |      |      | 1391 BEECHWOOD LN        | THIEL JOHN R & EVELYN J  | 6190    | A |
| Insulation           | 12/26/18 | BT | P    | Garage    | CLK  | LNGM | 4071 OLD CHARLES TOWN RD | JAMES MARTZ              | 1626    | A |
| Final Closing Plumbi | 12/27/18 | BT | P    | Gas Per-R | BVL  | BVL  | 220 HENDERSON CT         | CURRY, DON               | 8638    | A |
| Erosion & Sediment C | 12/27/18 | BT | P    | NRSF      | BYC  |      | 189 JUNIPER LN           | WATTS BUILDERS & HOME I  | 8624    | A |
| Electric Service     | 12/27/18 | BT | P    | Rmdl Res  | BYC  | CHPL | 997 BISHOP MEADE RD      | HUMMER FLORENCE A ESTAT  | 8623    | A |
| Water Line           | 12/27/18 | BT | P    | NRSF      |      |      | 124 GROUSE RIDGE LN      | WRIGHT PAMELA M TRUSTEE  | 8622    | A |
| Final Closing Mechan | 12/27/18 | BT | P    | MechPer-R | BLMT | CHPL | 17677 RAVEN ROCKS RD     | THOMAS RICHIE T & ELIZA  | 8127    | A |
| Gas Rough In         | 12/27/18 | BT | P    | NRSF      | BYC  | CHPL | 3444 CALMES NECK LN      | BATHON STEPHEN R & GAYL  | 8625    | A |
| Final Closing Gas    | 12/27/18 | BT | P    | Gas Per-R | BVL  | BVL  | 220 HENDERSON CT         | CURRY, DON               | 8495    | A |
| Final Closing Plumbi | 12/28/18 | BT | P    | NRSF      | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN             | 8619    | A |

01/09/2019 10:23  
2600acather

Clarke County  
INSPECTION REPORT

P 4  
piinhrpt

Building Inspections

INSPECTIONS PERFORMED: 12/01/18 to 12/31/18

| INSPECTION   | DATE     | BY | RSLT | PROJECT    | CITY | AREA | LOCATION                 | OWNER                   | INSP ID | T |
|--|----------|----|------|------------|------|------|--------------------------|-------------------------|---------|---|
| Final Closing Gas Insulation   | 12/28/18 | BT | P    | NRSF       | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN            | 8620    | A |
| Electrical Rough In Conduit  | 12/28/18 | BT | P    | Rmdl Comm  | BVL  | BVL  | 27 BYRD AVE              | FORDENBACHER MARK       | 7670    | A |
| Plumbing Rough In  | 12/28/18 | BT | P    | Rmdl Comm  | BVL  | BVL  | 322 NORTH BUCKMARSH ST   | NORTH BUCKMARSH STREET  | 8642    | A |
| Final Closing Buildi   | 12/28/18 | BT | P    | NRSF       | BYC  | GNWY | 322 NORTH BUCKMARSH ST   | NORTH BUCKMARSH STREET  | 8643    | A |
| Final Closing Buildi   | 12/28/18 | BT | P    | NRSF       | BYC  | GNWY | 322 NORTH BUCKMARSH ST   | NORTH BUCKMARSH STREET  | 8644    | A |
| Final Closing Buildi   | 12/28/18 | BT | P    | NRSF       | BYC  | GNWY | 82 THORNTON RD           | ARTHUR, SEAN            | 8621    | A |
| INSPECTOR TOTALS: 162 INSPECTIONS FEES: .00 PAID TO DATE: .00 UNPAID: .00  |          |    |      |            |      |      |                          |                         |         |   |
| PreDemolition Inspec   | 12/03/18 | JR | P    | Demolition | BVL  | BLTN | 2934 WICKLIFFE RD        | DAVID BROADWELL         | 8363    | A |
| Final Closing Buildi   | 12/03/18 | JR | P    | Rmdl Res   | BVL  | BVL  | 111 RICE ST              | CRIM BRYAN D            | 8386    | A |
| Meeting with Inspec  | 12/03/18 | JR | P    | SPIG       | WHPT | GNWY | 88 STOCK LN              | MALLORY KEVIN JAMES & C | 8418    | A |
| Final Closing Buildi   | 12/03/18 | JR | P    | Com Access | CLK  | LNGM | 225 AL SMITH CIR         | BOARD OF SUPERVISORS    | 2924    | A |
| Concrete Form  | 12/06/18 | JR | P    | Deck/Porch | BYC  | GNWY | 501 PIONEER LN           | WOOLFENDEN MARK A & RHO | 8436    | A |
| Gas Tank   | 12/07/18 | JR | P    | Gas Per-R  | WHPT | GNWY | 262 MEADOWS LN           | KEMPSON KENNETH & CATHA | 8460    | A |
| Concrete Form  | 12/10/18 | JR | P    | NRSF       |      |      | 221 NORTH GREENWAY AVE   | CAPITAL BUILDERS LLC    | 8461    | A |
| Final Closing Electr   | 12/10/18 | JR | P    | Elec Per-C | BVL  | BLTN | 401 GRAFTON LN           | GRAFTON SCHOOL INC      | 6518    | A |
| Gas Line   | 12/10/18 | JR | P    | Gas Per-R  | BVL  | BVL  | 400 DELANY CT            | RICHARD JEFFERIES       | 8465    | A |
| Framing  | 12/10/18 | JR | P    | Accessory  | BVL  | LNGM | 233 KIMBLE RD            | FRANZ ROBERT W & KRISTY | 8468    | A |
| Final Closing Buildi   | 12/10/18 | JR | P    | Accessory  | BVL  | LNGM | 233 KIMBLE RD            | FRANZ ROBERT W & KRISTY | 6617    | A |
| Insulation   | 12/11/18 | JR | F    | NRSF       | BLMT | BLTN | 109 BELL HOLLOW LN       | SFERRA NICHOLAS A       | 7632    | A |
| Water Line   | 12/11/18 | JR | P    | Nw Commrcl | BVL  | BVL  | 16 ROSEMONT MANOR LN     | GENDA LAND HOLDINGS LLC | 8484    | A |
| FOUNDATION   | 12/11/18 | JR | P    | Rmdl Res   | BVL  | BVL  | 215 NORTH BUCKMARSH ST   | KERBY, JULIE            | 8475    | A |
| Insulation   | 12/11/18 | JR | P    | Rmdl Res   | BVL  | CHPL | 1511 ELLERSLIE RD        | JOHN FERRELL AMENDED AN | 8064    | A |
| Footings Porch/Deck  | 12/11/18 | JR | P    | NRSF       | WHPT | GNWY | 140 WHITE POST RD        | NICEWARNER, KEVIN       | 8474    | A |
| Final Closing Electr   | 12/11/18 | JR | P    | Solar      | BVL  | LNGM | 119 ROCK DALE LN         | MACKINTOSH ROBERT       | 7666    | A |
| Final Closing Buildi   | 12/11/18 | JR | P    | Solar      | BVL  | LNGM | 119 ROCK DALE LN         | MACKINTOSH ROBERT       | 7667    | A |
| Footings   | 12/11/18 | JR | P    | NRSF       | BVL  | LNGM | 1245 MOOSE RD            | LANHAM JAMES B & CATHER | 8442    | A |
| DrainTile  | 12/11/18 | JR | P    | NRSF       | BVL  | LNGM | 1245 MOOSE RD            | LANHAM JAMES B & CATHER | 8656    | A |
| Gas Line Pressure Te   | 12/11/18 | JR | P    | Gas Per-R  | BVL  | LNGM | 1318 OLD CHARLES TOWN RD | NORMAN DEB B            | 8469    | A |
| Final Closing Electr   | 12/11/18 | JR | F    | Add Res    | BVL  | LNGM | 150 LONGMARSH RD         | WILLIAM RICHARD WITTA J | 8471    | A |
| Final Closing Mechan   | 12/11/18 | JR | P    | Add Res    | BVL  | LNGM | 150 LONGMARSH RD         | WILLIAM RICHARD WITTA J | 8473    | A |
| Footings   | 12/11/18 | JR | P    | Accessory  | BVL  | LNGM | 2283 SWIMLEY RD          | KELLY A MOBERG          | 8431    | A |
| Final Closing Electr   | 12/12/18 | JR | P    | Nw Commrcl | BVL  | BVL  | 450 MOSBY BLVD           | BERRYVILLE HEALTH INVES | 8503    | A |
| Meeting with Inspec  | 12/12/18 | JR | P    | Rmdl Res   | BVL  | CHPL | 41 LANHAM LN             | CORBET, PATRICIA        | 8497    | A |
| Gas Line   | 12/13/18 | JR | P    | Nw Commrcl | BVL  | BVL  | 450 MOSBY BLVD           | BERRYVILLE HEALTH INVES | 8528    | A |
| Final Closing Gas  | 12/13/18 | JR | P    | Nw Commrcl | BVL  | BVL  | 450 MOSBY BLVD           | BERRYVILLE HEALTH INVES | 4651    | A |
| Final Closing Mechan   | 12/13/18 | JR | P    | Nw Commrcl | BVL  | BVL  | 450 MOSBY BLVD           | BERRYVILLE HEALTH INVES | 8580    | A |
| Final Closing Electr   | 12/18/18 | JR | P    | ELEC RES   | BLMT | BLTN | 18035 RAVEN ROCKS RD     | TWIN OAKS TAVERN WINERY | 8496    | A |
| Final Closing Buildi   | 12/18/18 | JR | P    | Nw Commrcl | BVL  | BVL  | 450 MOSBY BLVD           | BERRYVILLE HEALTH INVES | 4652    | A |
| Electric Service   | 12/19/18 | JR | P    | Nw Commrcl | BVL  | BVL  | 16 ROSEMONT MANOR LN     | GENDA LAND HOLDINGS LLC | 6959    | A |
| Electric Service   | 12/19/18 | JR | P    | Nw Commrcl | BVL  | BVL  | 16 ROSEMONT MANOR LN     | GENDA LAND HOLDINGS LLC | 6973    | A |
| INSPECTOR TOTALS: 33 INSPECTIONS FEES: .00 PAID TO DATE: .00 UNPAID: .00   |          |    |      |            |      |      |                          |                         |         |   |
| DEPARTMENT TOTALS: 195 INSPECTIONS FEES: .00 PAID TO DATE: .00 UNPAID: .00 |          |    |      |            |      |      |                          |                         |         |   |
| REPORT TOTALS: 195 INSPECTIONS FEES: .00 PAID TO DATE: .00 UNPAID: .00     |          |    |      |            |      |      |                          |                         |         |   |

01/09/2019 10:23  
2600acather

Clarke County  
INSPECTION REPORT

P 5  
piinhrpt

Building Inspections

INSPECTIONS PERFORMED: 12/01/18 to 12/31/18

| INSPECTION TYPE SUMMARY    | COUNT | INSPECTOR SUMMARY | COUNT | RESULT SUMMARY       | COUNT |
|----------------------------|-------|-------------------|-------|----------------------|-------|
| Backfill                   | 1     | Bernie Thompson   | 162   | FAIL                 | 11    |
| Concrete Form              | 3     | Jamie Royston     | 33    | PARTIAL              | 2     |
| Conduit                    | 1     |                   |       | PASS                 | 181   |
| Ditch Electric             | 2     |                   |       | PASS WITH CONDITIONS | 1     |
| DrainTile                  | 5     |                   |       |                      |       |
| Electric Service           | 14    |                   |       |                      |       |
| Electrical Rough In        | 11    |                   |       |                      |       |
| Erosion & Sediment Control | 1     |                   |       |                      |       |
| Final Closing Building     | 22    |                   |       |                      |       |
| Final Closing Electric     | 24    |                   |       |                      |       |
| Final Closing Gas          | 10    |                   |       |                      |       |
| Final Closing Mechanical   | 13    |                   |       |                      |       |
| Final Closing Plumbing     | 13    |                   |       |                      |       |
| Fireplace Throat           | 1     |                   |       |                      |       |
| Footings                   | 9     |                   |       |                      |       |
| Footings Porch/Deck        | 1     |                   |       |                      |       |
| FOUNDATION                 | 3     |                   |       |                      |       |
| Framing                    | 13    |                   |       |                      |       |
| Gas Line                   | 4     |                   |       |                      |       |
| Gas Line Pressure Test     | 4     |                   |       |                      |       |
| Gas Rough In               | 2     |                   |       |                      |       |
| Gas Tank                   | 1     |                   |       |                      |       |
| Insulation                 | 9     |                   |       |                      |       |
| Mechanical Rough In        | 6     |                   |       |                      |       |
| Meeting with Inspector     | 2     |                   |       |                      |       |
| Plumbing Groundworks       | 3     |                   |       |                      |       |
| Plumbing Rough In          | 5     |                   |       |                      |       |
| PreDemolition Inspection   | 1     |                   |       |                      |       |
| Sewer Line                 | 1     |                   |       |                      |       |
| Slab Basement              | 1     |                   |       |                      |       |
| Slab Garage/Carport        | 2     |                   |       |                      |       |
| Slab Porch/Deck            | 1     |                   |       |                      |       |
| Water Line                 | 5     |                   |       |                      |       |
| Waterproofing/Parging      | 1     |                   |       |                      |       |

TOTAL INSPECTIONS: 195

01/09/2019 10:23  
2600acather

Clarke County  
INSPECTION REPORT

P 6  
piinhrpt

ALL

INSPECTIONS PERFORMED: 12/01/18 to 12/31/18

| INSPECTION TYPE SUMMARY    | COUNT | INSPECTOR SUMMARY | COUNT | RESULT SUMMARY       | COUNT |
|----------------------------|-------|-------------------|-------|----------------------|-------|
| Backfill                   | 1     | Bernie Thompson   | 162   | FAIL                 | 11    |
| Concrete Form              | 3     | Jamie Royston     | 33    | PARTIAL              | 2     |
| Conduit                    | 1     |                   |       | PASS                 | 181   |
| Ditch Electric             | 2     |                   |       | PASS WITH CONDITIONS | 1     |
| DrainTile                  | 5     |                   |       |                      |       |
| Electric Service           | 14    |                   |       |                      |       |
| Electrical Rough In        | 11    |                   |       |                      |       |
| Erosion & Sediment Control | 1     |                   |       |                      |       |
| Final Closing Building     | 22    |                   |       |                      |       |
| Final Closing Electric     | 24    |                   |       |                      |       |
| Final Closing Gas          | 10    |                   |       |                      |       |
| Final Closing Mechanical   | 13    |                   |       |                      |       |
| Final Closing Plumbing     | 13    |                   |       |                      |       |
| Fireplace Throat           | 1     |                   |       |                      |       |
| Footings                   | 9     |                   |       |                      |       |
| Footings Porch/Deck        | 1     |                   |       |                      |       |
| FOUNDATION                 | 3     |                   |       |                      |       |
| Framing                    | 13    |                   |       |                      |       |
| Gas Line                   | 4     |                   |       |                      |       |
| Gas Line Pressure Test     | 4     |                   |       |                      |       |
| Gas Rough In               | 2     |                   |       |                      |       |
| Gas Tank                   | 1     |                   |       |                      |       |
| Insulation                 | 9     |                   |       |                      |       |
| Mechanical Rough In        | 6     |                   |       |                      |       |
| Meeting with Inspector     | 2     |                   |       |                      |       |
| Plumbing Groundworks       | 3     |                   |       |                      |       |
| Plumbing Rough In          | 5     |                   |       |                      |       |
| PreDemolition Inspection   | 1     |                   |       |                      |       |
| Sewer Line                 | 1     |                   |       |                      |       |
| Slab Basement              | 1     |                   |       |                      |       |
| Slab Garage/Carport        | 2     |                   |       |                      |       |
| Slab Porch/Deck            | 1     |                   |       |                      |       |
| Water Line                 | 5     |                   |       |                      |       |
| Waterproofing/Parging      | 1     |                   |       |                      |       |

TOTAL INSPECTIONS: 195

\*\* END OF REPORT - Generated by Angela Cather \*\*

CLARKE COUNTY CIRCUIT COURT  
 MONTH END DEEDS OF PARTITION AND CONVEYANCE  
 LOCAL TAXATION DEPARTMENT  
 COUNTY  
 FOR DECEMBER, 2018

| RANTOR   | (X) GRANTEE/ADDRESS   | (X) CONSIDERATION | TYPE    | PERCENT                       |
|--|---|-------------------|---------|-------------------------------|
| BLISSERT, SUSAN K<br>RECORDED TIME: 12:41<br>DESCRIPTION 1: CHAPEL DISTRICT, PARCEL 1, 5.0847 ACRES<br>DATE OF DEED : 11/29/18 BOOK: 635<br>NUMBER PAGES : 4               | N SCHOEB, WILLIAM E; III ETAL<br>21199 BLUE RIDGE MTN RD PARIS, VA. 20130<br>PAGE: 224 MAP: 40-1-1    | N 245,000.00      | DBS     | 100%<br><i>295,800 w/imp</i>  |
| 182086 LAW, ROBERT J; ETUX<br>RECORDED TIME: 12:43<br>DESCRIPTION 1: GREENWAY DISTRICT, PARCEL A, SEC 2, 5.294 AC<br>DATE OF DEED : 11/30/18 BOOK: 635<br>NUMBER PAGES : 3 | N VORRASI, JUSTIN<br>460 SOLITUDE LANE BOYCE, VA. 22620<br>PAGE: 240 MAP: 39-2-2A                     | N 685,000.00      | DBS     | 100%<br><i>543,500 w/impV</i> |
| 182088 DAVIS, NICHOLAS J<br>RECORDED TIME: 12:55<br>DESCRIPTION 1: TOWN OF BERRYVILLE<br>DATE OF DEED : 11/30/18 BOOK: 635<br>NUMBER PAGES : 3                             | N SMITH, ADAM E; ETUX<br>120 WATCH HILL DRIVE COLORADO SPRINGS, CO. 80906<br>PAGE: 258 MAP: 14A5-2-28 | N 210,000.00      | DBS     | 100%<br><i>153,900 w/impV</i> |
| 182095 SHEETS, MARRY M<br>RECORDED TIME: 10:21<br>DESCRIPTION 1: 3.74 ACRES, GREENWAY DIST<br>DATE OF DEED : 00/00/00 BOOK: 635<br>NUMBER PAGES : 4                        | N SHEETS, MARRY; TR<br>214 SHEETS LANE BOYCE, VA. 22620<br>PAGE: 296 MAP:                             | .00               | DG      | 100%                          |
| 182099 SPROUSE, HENRY R<br>RECORDED TIME: 14:45<br>DESCRIPTION 1:<br>DATE OF DEED : 11/27/18 BOOK: 635<br>NUMBER PAGES : 32  | N CLARKE COUNTY CONSERVATION AUT<br>N/A<br>PAGE: 311 MAP:   | .00               | DE      | 100%                          |
| 182100 SPROUSE, HENRY<br>RECORDED TIME: 14:50<br>DESCRIPTION 1: GREENWAY DIST<br>DATE OF DEED : 11/30/18 BOOK: 635<br>NUMBER PAGES : 2                                     | N OTAROLA, ALAIN<br>470 DEARMONT HALL WHITE POST, VA. 22663<br>PAGE: 343 MAP: 2018A                   | N 675,000.00      | DBS     | 100%<br><i>707,200 w/impV</i> |
| 182104 BOWMAN, MARK<br>RECORDED TIME: 11:00<br>DESCRIPTION 1: LONGMARSH DISTRICT<br>DATE OF DEED : 00/00/00 BOOK: 635<br>NUMBER PAGES : 3                                  | N BOWMAN, MARK<br>N/A N/A, XX. 00000 0000<br>PAGE: 359 MAP: 03A18D                                    | .00               | DBS     | 100%                          |
| 180000731 O'BRIEN, RONALD<br>RECORDED TIME: 11:54<br>DESCRIPTION 1: PROBATE. TOWN OF BERRYVILLE<br>DATE OF DEED : 12/07/18 BOOK: 102<br>NUMBER PAGES : 4                   | N/A<br>N/A<br>PAGE: 462 MAP:  | .00               | PROBATE | 00%                           |

CLARKE COUNTY CIRCUIT COURT  
MONTH END DEEDS OF PARTITION AND CONVEYANCE  
LOCAL TAXATION DEPARTMENT  
COUNTY  
FOR DECEMBER, 2018

| RECORDED | INSTRUMENT | GRANTOR  | (X) GRANTEE/ADDRESS  | (X) CONSIDERATION     | TYPE | PERCENT |
|----------|------------|--|--|-----------------------|------|---------|
| 12/10/18 | 182112     | ELROD, WARRICK<br>RECORDED TIME: 09:15<br>DESCRIPTION 1: LONGMARSH DISTR<br>DATE OF DEED : 00/00/00 BOOK: 13<br>NUMBER PAGES : 1   | N ROCK HALL FARM<br>N/A N/A, XX. 00000 0000<br>PAGE: 44 MAP: 6A27                                  | N .00                 | OPM  | 100%    |
| 12/10/18 | 182119     | ALLISON REVOCABLE TRUST<br>RECORDED TIME: 13:00<br>DESCRIPTION 1: BATTLETOWN DISTRICT, LOT 2<br>DATE OF DEED : 12/07/18 BOOK: 635<br>NUMBER PAGES : 5                    | N ALLISON, JACOB S; ET AL<br>208 SAW MILL HILL ROAD BLUEMONT, VA.<br>PAGE: 449 MAP: 25-A-27B       | N 400,000.00<br>20135 | DBS  | 100%    |
| 12/10/18 | 182122     | ASHBY, JEREMY BRENT; ETUX<br>RECORDED TIME: 14:45<br>DESCRIPTION 1: 3.0A CRES, GREENWAY DISTRICT<br>DATE OF DEED : 12/07/18 BOOK: 635<br>NUMBER PAGES : 2                | N ASHBY, JEREMY BRENT<br>308 IRON RAIL LANE BOYCE, VA.<br>PAGE: 484 MAP: 29-A-10                   | N .00                 | DBS  | 100%    |
| 12/11/18 | 182124     | GREENE, STEPHEN N<br>RECORDED TIME: 09:20<br>DESCRIPTION 1:<br>DATE OF DEED : 12/06/18 BOOK: 635<br>NUMBER PAGES : 3   | N JACOBUS, STEVEN<br>302 LIBERTY ST BERRYVILLE, VA.<br>PAGE: 488 MAP: 14A212A                      | N 269,000.00<br>22611 | DBS  | 100%    |
| 12/11/18 | 182129     | SCOTT, ALAN<br>RECORDED TIME: 13:50<br>DESCRIPTION 1: BATTLETOWN DISTRICT, PIGEON HILL AREA<br>DATE OF DEED : 12/07/18 BOOK: 635<br>NUMBER PAGES : 2                     | N WELCH, JORDAN ELIZABETH<br>6947 LORD FAIRFAX HIGHWAY BERRYVILLE, VA.<br>PAGE: 530 MAP: 14B-A-4   | N 290,000.00<br>22611 | DBS  | 100%    |
| 12/12/18 | 182136     | BUTLER, PERRY C; ETUX<br>RECORDED TIME: 11:55<br>DESCRIPTION 1: BATTLETOWN DISTRICT, SHEN RET, LOT 11, BLOCK 2Q<br>DATE OF DEED : 11/28/18 BOOK: 635<br>NUMBER PAGES : 2 | N HAGEN, WILLIAM A; ETUX<br>273 REDBUD LANE BLUEMONT, VA.<br>PAGE: 559 MAP: 17A3-27-2Q-11          | N 3,000.00<br>20135   | DBS  | 100%    |
| 12/12/18 | 182137     | FINCH, STACY<br>RECORDED TIME: 12:10<br>DESCRIPTION 1:<br>DATE OF DEED : 12/10/18 BOOK: 635<br>NUMBER PAGES : 1  | N LIBERTY HOLDING<br>14358 SILO VALLEY VIEW CENTREVILLE, VA.<br>PAGE: 561 MAP: 12A33I              | N 372,000.00          | DBS  | 100%    |
| 12/13/18 | 182144     | COPENHAVER, PATRICIA B<br>RECORDED TIME: 12:40<br>DESCRIPTION 1: CHAPEL DISTRICT, 30.0896 ACRES<br>DATE OF DEED : 12/13/18 BOOK: 635<br>NUMBER PAGES : 3                 | N ROBERTSON, MICKEY ANDREW; ETUX N<br>2110 SALEM CHURCH ROAD BOYCE, VA.<br>PAGE: 607 MAP: 12-A-25B | N .00                 | DG   | 100%    |

*246,900  
Family Sale w/jimpv*

*168,800  
w/jimpv*

*184,800  
w/jimpv*

*VAC 4K*

*275K*

*372K  
VAC*

CLARKE COUNTY CIRCUIT COURT  
 MONTH END DEEDS OF PARTITION AND CONVEYANCE  
 LOCAL TAXATION DEPARTMENT  
 COUNTY  
 FOR DECEMBER, 2018

| RECORDED | INSTRUMENT | GRANTOR  | (X) GRANTEE/ADDRESS   | (X) CONSIDERATION | TYPE    | PERCENT                       |
|----------|------------|--|---|-------------------|---------|-------------------------------|
| 12/14/18 | 180000745  | BROWN, LEONA ALBERTA<br>RECORDED TIME: 10:35<br>DESCRIPTION 1: PROBATE<br>DATE OF DEED : 12/14/18 BOOK: 102<br>NUMBER PAGES : 0                      | N/A<br>N/A  | .00               | PROBATE | 00%                           |
| 12/14/18 | 182151     | MILLER, GORDON<br>RECORDED TIME: 11:50<br>DESCRIPTION 1: TOWN OF BERRYVILLE<br>DATE OF DEED : 12/10/18 BOOK: 635<br>NUMBER PAGES : 2                 | N SWEENEY, JEFFREY<br>335 W MAIN ST BERRYVILLE, VA. 22611     | N 235,000.00      | DBS     | 100%<br><i>161,600 w/impl</i> |
| 12/14/18 | 182153     | LOCKE AND COMPANY LLC<br>RECORDED TIME: 15:58<br>DESCRIPTION 1: MERGER PLAT, CHAPEL DISTRICT<br>DATE OF DEED : 00/00/00 BOOK: 13<br>NUMBER PAGES : 1 | N LOCKE AND COMPANY LLC<br>N/A N/A, XX. 00000 0000            | N .00             | OPM     | 100%                          |
| 12/17/18 | 182155     | DUNN LAND SURVEYS<br>RECORDED TIME: 11:30<br>DESCRIPTION 1: BATTLETOWN DISTR<br>DATE OF DEED : 00/00/00 BOOK: 635<br>NUMBER PAGES : 2                | N DUNPHY, TERESA<br>N/A N/A, XX. 00000 0000                   | N .00             | PM      | 100%                          |
| 12/17/18 | 182156     | DUNN LAND SURVEYS<br>RECORDED TIME: 11:32<br>DESCRIPTION 1: BATTLETOWN DIST<br>DATE OF DEED : 00/00/00 BOOK: 635<br>NUMBER PAGES : 2                 | N DUNPHY, TERESA<br>N/A N/A, XX. 00000 0000                   | N .00             | PM      | 100%                          |
| 12/17/18 | 182157     | DUNN LAND SURVEYS<br>RECORDED TIME: 11:33<br>DESCRIPTION 1: BATTLETOWN DISTR<br>DATE OF DEED : 00/00/00 BOOK: 635<br>NUMBER PAGES : 2                | N DUNPHY, TERESA<br>N/A N/A, XX. 00000 0000                   | N .00             | PM      | 100%                          |
| 12/17/18 | 182162     | TIPTON, JANET R<br>RECORDED TIME: 14:01<br>DESCRIPTION 1: .9203 ACRE, LONGMARSH DISTRICT<br>DATE OF DEED : 00/00/00 BOOK: 635<br>NUMBER PAGES : 4    | Y CROSON, ANGELA<br>543 SHADY CREEK RD CLEAR BROOK, VA. 22624 | Y .00             | DBS     | 100%                          |
| 12/17/18 | 182162     | WEIS, ROSE<br>RECORDED TIME: 15:15<br>DESCRIPTION 1: BATTLETOWN DIST<br>DATE OF DEED : 12/17/18 BOOK: 635<br>NUMBER PAGES : 3                        | N SAWYER, RICHARD<br>446 HACKBERRY LANE BLUEMONT, VA. 20135   | N .00             | DBS     | 100%                          |



CLARKE COUNTY CIRCUIT COURT  
 MONTH END DEEDS OF PARTITION AND CONVEYANCE  
 LOCAL TAXATION DEPARTMENT  
 COUNTY  
 FOR DECEMBER, 2018

| RECORDED | INSTRUMENT | GRANTOR   | (X) GRANTEE/ADDRESS  | (X) CONSIDERATION    | TYPE    | PERCENT                           |
|----------|------------|---|--|----------------------|---------|-----------------------------------|
| 12/17/18 | 182164     | CORBIN, DEBORAH; ETAL<br>RECORDED TIME: 16:20<br>DESCRIPTION 1: TOWN OF BERRYVILLE, LOTS 28 AND 29<br>DATE OF DEED : 12/14/18 BOOK: 635<br>NUMBER PAGES : 3     | N CROSEN, JOHN N<br>408 ACADEMY STREET BERRYVILLE, VA. 22611<br>PAGE: 696 MAP: 14A1-1-28       | N 267,000.00<br>PIN: | DBS     | 100%<br><i>207,400<br/>w/impv</i> |
| 12/18/18 | 182166     | PARKER, MARIE E; TRSTE<br>RECORDED TIME: 09:52<br>DESCRIPTION 1: GREENWAY DISTRICT, SHEN FARMS, LOT 70<br>DATE OF DEED : 00/00/00 BOOK: 635<br>NUMBER PAGES : 2 | N STEPHEN C MATULA TRUST<br>N/A N/A, XX. 00000 0000<br>6.459 ACRES<br>PAGE: 713 MAP: 37A4-2-70 | N .00<br>PIN:        | PM      | 100%                              |
| 12/18/18 | 182167     | STOWE, GERRY FRANCIS<br>RECORDED TIME: 12:20<br>DESCRIPTION 1: LONGMARSH DIST<br>DATE OF DEED : 12/13/18 BOOK: 635<br>NUMBER PAGES : 4                          | N AJYEMAN, SABRE M<br>107 NOBLE LANE BERRYVILLE, VA. 22611<br>PAGE: 715 MAP: 3-12-3            | N 560,000.00<br>PIN: | DBS     | 100%<br><i>469,200<br/>w/impv</i> |
| 12/20/18 | 182179     | MOORE, SHARON<br>RECORDED TIME: 13:32<br>DESCRIPTION 1: BATTLETOWN DISTR<br>DATE OF DEED : 11/27/18 BOOK: 635<br>NUMBER PAGES : 4                               | N MURPHY, SHARON<br>619 E MAIN ST BERRYVILLE, VA. 22611<br>PAGE: 767 MAP: 17A21280             | N 660.00<br>PIN:     | DSC     | 100%<br><i>Auct 3200<br/>VAC</i>  |
| 12/20/18 | 182180     | LEWIS, DENNIS R<br>RECORDED TIME: 13:33<br>DESCRIPTION 1: BATTLETOWN DISTR<br>DATE OF DEED : 11/27/18 BOOK: 635<br>NUMBER PAGES : 4                             | N FANNING, JOHN D<br>1163 RETREAT RD BLUEMONT, VA. 20135<br>PAGE: 771 MAP: 17A21627            | N 990.00<br>PIN:     | DSC     | 100%<br><i>Auct; 4000<br/>VAC</i> |
| 12/20/18 | 182181     | LEE, STEPHEN JAMES<br>RECORDED TIME: 13:55<br>DESCRIPTION 1: GREENWAY DISTR<br>DATE OF DEED : 12/18/18 BOOK: 635<br>NUMBER PAGES : 4                            | N MCSHURLEY, MARK<br>515 WHITE POST RD WHITE POST, VA. 22663<br>PAGE: 775 MAP: 28AA43          | N 320,000.00<br>PIN: | DBS     | 100%<br><i>146,900<br/>w/impv</i> |
| 12/20/18 | 182183     | CHATHAM, DANIEL<br>RECORDED TIME: 14:05<br>DESCRIPTION 1: TOWN OF BERRYVILLE<br>DATE OF DEED : 12/17/18 BOOK: 635<br>NUMBER PAGES : 2                           | N PORTNELL, JESSE<br>233 HERMITAGE BLVD BERRYVILLE, VA. 22611<br>PAGE: 782 MAP: 14A83137       | N 415,500.00<br>PIN: | DBS     | 100%<br><i>410,600<br/>w/impv</i> |
| 12/20/18 | 180000753  | MACKAY-SMITH, MATTHEW P<br>RECORDED TIME: 14:45<br>DESCRIPTION 1: PROBATE WILL<br>DATE OF DEED : 12/20/18 BOOK: 102<br>NUMBER PAGES : 4                         | N/A<br>N/A<br>PAGE: 497 MAP:   | .00<br>PIN:          | PROBATE | 00%                               |

CLARKE COUNTY CIRCUIT COURT  
 MONTH END DEEDS OF PARTITION AND CONVEYANCE  
 LOCAL TAXATION DEPARTMENT  
 COUNTY  
 FOR DECEMBER, 2018

| RECORDED | INSTRUMENT | GRANTOR   | (X) GRANTEE/ADDRESS   | (X) CONSIDERATION | TYPE | PERCENT                       |
|----------|------------|---|---|-------------------|------|-------------------------------|
| 12/21/18 | 182187     | CALLANDER LLC<br>RECORDED TIME: 12:00<br>DESCRIPTION 1:<br>DATE OF DEED : 11/29/18 BOOK: 635<br>NUMBER PAGES : 37                                       | Y CLARKE EASEMENT AUTHORITY<br>N/A N/A, XX. 00000 0000<br>PAGE: 799 MAP: 13A29            | Y .00             | DE   | 100%                          |
| 12/21/18 | 182188     | CALLANDER LLC<br>RECORDED TIME: 12:02<br>DESCRIPTION 1:<br>DATE OF DEED : 11/29/18 BOOK: 635<br>NUMBER PAGES : 36                                       | N CLAREK COUNTY EASEMENT AUTH<br>N/A N/A, XX. 00000 0000<br>PAGE: 836 MAP: 22A5A          | N .00             | DE   | 100%                          |
| 12/21/18 | 182189     | SHOCKEY, DONALD; JR<br>RECORDED TIME: 12:04<br>DESCRIPTION 1:<br>DATE OF DEED : 00/00/00 BOOK: 635<br>NUMBER PAGES : 33                                 | N CLARKE CONSERV. AUTHORITY EASE<br>N/A N/A, XX. 00000 0000<br>PAGE: 872 MAP: 22A2        | N .00             | DE   | 100%                          |
| 12/21/18 | 182192     | H HUGH HECLLO TRUST<br>RECORDED TIME: 13:45<br>DESCRIPTION 1: GREENWAY DISTRICT, 86.5162 ACRES<br>DATE OF DEED : 12/20/18 BOOK: 635<br>NUMBER PAGES : 4 | N ASHCROFT FARM, LLC<br>751 KITCHEN LANE WHITE POST, VA. 22663<br>PAGE: 908 MAP: 20-A-26E | N 1,000,000.00    | OBS  | 100%<br><i>632,500 w/impv</i> |
| 12/26/18 | 182201     | JEIRLES, RYAN K; ETUX<br>RECORDED TIME: 16:05<br>DESCRIPTION 1: CHAPEL DISTRICT, LOT 2<br>DATE OF DEED : 12/18/18 BOOK: 636<br>NUMBER PAGES : 2         | N VARGAS-VELEZ, JOHN; ETUX<br>986 BROWNTOWN ROAD BOYCE, VA. 22620<br>PAGE: 1 MAP: 22-3-2  | N 360,000.00      | OBS  | 100%<br><i>317,900 w/impv</i> |
| 12/28/18 | 182205     | DMHI LLC<br>RECORDED TIME: 09:00<br>DESCRIPTION 1: LONGMARSH DISTRICT<br>DATE OF DEED : 12/27/18 BOOK: 13<br>NUMBER PAGES : 1                           | N HARDESTY, DEBORAH<br>308 LONGMARSH RD BERRYVILLE, VA. 22611<br>PAGE: 46 MAP: 2A10       | N .00             | OPM  | 100%                          |
| 12/28/18 | 182206     | DMHI LLC<br>RECORDED TIME: 09:00<br>DESCRIPTION 1: LONGMRSH DISTRICT<br>DATE OF DEED : 12/27/18 BOOK: 636<br>NUMBER PAGES : 6                           | N HARDESTY, DEBORAH<br>308 LONGMARSH RD BERRYVILLE, VA. 22611<br>PAGE: 58 MAP: 2A10       | N .00             | DG   | 100%                          |
| 12/28/18 | 182207     | HARDESTY, DAVID M<br>RECORDED TIME: 09:02<br>DESCRIPTION 1: LONGMARSH DISTR<br>DATE OF DEED : 12/27/18 BOOK: 636<br>NUMBER PAGES : 3                    | N KERR, CODY<br>110 MALLOY DR WINCHESTER, VA. 22602<br>PAGE: 63 MAP: 2A10                 | N .00             | DG   | 100%                          |

CLARKE COUNTY CIRCUIT COURT  
 MONTH END DEEDS OF PARTITION AND CONVEYANCE  
 LOCAL TAXATION DEPARTMENT  
 COUNTY  
 FOR DECEMBER, 2018

| RECORDED | INSTRUMENT | GRANTOR   | (X) GRANTEE/ADDRESS  | (X) CONSIDERATION | TYPE | PERCENT |
|----------|------------|---|--|-------------------|------|---------|
| 12/28/18 | 182208     | HARDESTY, DAVID M<br>RECORDED TIME: 09:05<br>DESCRIPTION 1: LONGMARSH DIST<br>DATE OF DEED : 00/00/00 BOOK: 636<br>NUMBER PAGES : 5                               | N COMMONWEALTH OF VA<br>811 COMMERCE RD STAUNTON, VA. 24401<br>PAGE: 66 MAP: 2A10                    | N .00             | DE   | 100%    |
| 12/28/18 | 182209     | MARRICH HILL LLC<br>RECORDED TIME: 09:45<br>DESCRIPTION 1: GREENWAY DISTR<br>DATE OF DEED : 01/01/19 BOOK: 636<br>NUMBER PAGES : 5                                | N WILMER JR, JOHN GRANT<br>3033 BAKERS MEADOW ATLANTA, GA. 30339<br>PAGE: 71 MAP: 37A7A              | N .00             | DQC  | 100%    |
| 12/28/18 | 182215     | MCDONALD, CAROLINE WILSON<br>RECORDED TIME: 12:15<br>DESCRIPTION 1: .0057 % INTEREST - GREENWAY DISTRICT<br>DATE OF DEED : 12/24/18 BOOK: 636<br>NUMBER PAGES : 2 | N WILSON, ORME; III<br>4506 RIVER ROAD LOUISVILLE, KY. 40222<br>PAGE: 81 MAP: 29-A-35                | N 65.55           | DBS  | 100%    |
| 12/28/18 | 182216     | THOMPSON, ORME WILSON<br>RECORDED TIME: 12:16<br>DESCRIPTION 1: .0057% INTEREST - GREENWAY DISTRICT<br>DATE OF DEED : 12/24/18 BOOK: 636<br>NUMBER PAGES : 2      | N THOMPSON, ELSIE WILSON<br>1215 APPLE TREE LANE CHARLOTTESVILLE, VA. 22901<br>PAGE: 83 MAP: 29-A-35 | N 65.55           | DBS  | 100%    |
| 12/28/18 | 182217     | POTTINGA, NADINE<br>RECORDED TIME: 14:00<br>DESCRIPTION 1:<br>DATE OF DEED : 12/26/18 BOOK: 636<br>NUMBER PAGES : 3   | N RESENDIZ, AURELIANO<br>458 LAKEVIEW LANE BOYCE, VA. 22620<br>PAGE: 85 MAP: 386805                  | N 358,000.00      | DBS  | 100%    |
| 12/28/18 | 182223     | FEDERAL HOME LOAN MORTGAGE COM<br>RECORDED TIME: 14:44<br>DESCRIPTION 1: LONGMARSH DISTRICT, 2.05 ACRES<br>DATE OF DEED : 00/00/00 BOOK: 636<br>NUMBER PAGES : 2  | Y JEIRLES, RYAN; ETUX<br>87 MOOSE ROAD BERRYVILLE, VA. 22611<br>PAGE: 104 MAP: 6-A25                 | N 169,000.00      | DBS  | 100%    |
| 12/28/18 | 182225     | NAPPI, RICHARD G; ETUX<br>RECORDED TIME: 16:05<br>DESCRIPTION 1: TOWN OF BERRYVILLE<br>DATE OF DEED : 12/28/18 BOOK: 636<br>NUMBER PAGES : 2                      | N LOGAN, DAVID; ET AL<br>116 ISAAC COURT BERRYVILLE, VA. 22611<br>PAGE: 118 MAP: 14A8-4-151          | N 392,500.00      | DBS  | 100%    |

*FAMILY*

*268,900  
w/impr*

*245,600  
w/impr*

*370,000  
w/impr*

TOTAL COUNTY DEEDS OF PARTITION AND CONVEYANCE: 44  
 TOTAL NUMBER OF COUNTY DEEDS OF CORRECTION : 0  
 TOTAL NUMBER OF COUNTY WILL/FIDUCIARY : 3

**Clarke County Fire & EMS  
FY 18-19 Closing Balance Summary**

| Description                        | Jul-18             | Aug-18             | Sep-18             | Oct-18             | Nov-18             | Dec-18             | Jan-19 | YTD Totals          |
|------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------|---------------------|
| <b>Billable Calls</b>              |                    |                    |                    |                    |                    |                    |        |                     |
| Enders (Co 1)                      | 63                 | 71                 | 82                 | 84                 | 70                 | 66                 |        | 436                 |
| Boyce (Co 4)                       | 12                 | 6                  | 17                 | 11                 | 3                  | 8                  |        | 57                  |
| Blue Ridge (Co 8)                  | 12                 | 7                  | 6                  | 6                  | 9                  | 10                 |        | 50                  |
| <b>Total # of Billable Calls</b>   | <b>87</b>          | <b>84</b>          | <b>105</b>         | <b>101</b>         | <b>82</b>          | <b>84</b>          |        | <b>543</b>          |
| ALS Trips Billed                   | 29                 | 36                 | 40                 | 48                 | 26                 | 34                 |        | 213                 |
| BLS Trips Billed                   | 52                 | 37                 | 47                 | 42                 | 48                 | 49                 |        | 275                 |
| TNT Trips Billed                   | 6                  | 11                 | 18                 | 11                 | 8                  | 1                  |        | 55                  |
| <b>Total</b>                       | <b>87</b>          | <b>84</b>          | <b>105</b>         | <b>101</b>         | <b>82</b>          | <b>84</b>          |        | <b>543</b>          |
| <b>Calls Dispatched</b>            |                    |                    |                    |                    |                    |                    |        |                     |
| Co 1 Career                        | 39                 | 44                 | 42                 | 44                 | 52                 | 35                 |        | 256                 |
| Co 1 Volunteer                     | 2                  | 7                  | 9                  | 2                  | 2                  | 6                  |        | 28                  |
| Co 1 Split                         | 33                 | 42                 | 40                 | 51                 | 33                 | 48                 |        | 247                 |
| Co 4 Career                        | 6                  | 6                  | 1                  | 6                  | 2                  | 2                  |        | 23                  |
| Co 4 Volunteer                     | 4                  | 2                  | 6                  | 0                  | 4                  | 5                  |        | 21                  |
| Co 4 Split                         | 9                  | 6                  | 13                 | 12                 | 7                  | 10                 |        | 57                  |
| Co 8 Career                        | 0                  | 3                  | 2                  | 2                  | 1                  | 1                  |        | 9                   |
| Co 8 Volunteer                     | 12                 | 9                  | 11                 | 8                  | 8                  | 10                 |        | 58                  |
| Co 8 Split                         | 9                  | 8                  | 6                  | 2                  | 8                  | 13                 |        | 46                  |
| Unknown                            | 9                  | 14                 | 17                 | 15                 | 15                 | 6                  |        | 76                  |
| <b>Total # of Calls Dispatched</b> | <b>123</b>         | <b>141</b>         | <b>147</b>         | <b>142</b>         | <b>132</b>         | <b>136</b>         |        | <b>821</b>          |
| Patient Payments                   | \$607.00           | \$916.10           | \$1,037.91         | \$1,639.80         | \$2,280.90         | \$3,808.73         |        | \$10,290.44         |
| TNT Payments                       | \$0.00             | \$150.00           | \$735.00           | \$585.00           | \$487.50           | \$300.00           |        | \$2,257.50          |
| <b>Total Payments</b>              | <b>\$31,182.15</b> | <b>\$31,619.95</b> | <b>\$27,322.55</b> | <b>\$39,583.84</b> | <b>\$33,456.99</b> | <b>\$44,196.93</b> |        | <b>\$207,362.41</b> |

## **ZONING AND SUBDIVISION ORDINANCE UPDATE PROJECT PROGRESS REPORT (JANUARY 2019)**

### **Work Plan Items Completed to Date:**

- Step 1 – Adopt Work Plan, Project Policies and Timeline
- Step 3 – Approve Framework for Draft Ordinances.

### **Work Plan Items in Process:**

- Step 2 -- Discuss and Provide Formal Direction on Policy Issues. The Ordinances Committee is scheduled to meet on January 4, 2019 following the Commission's Business Meeting. Due to continuing workload issues, the County Attorney has not been able to provide comments on the five remaining policy and technical issues so an additional Committee meeting will need to be scheduled when that review is finally completed.
- Step 4 -- Present Draft Ordinance Text by Chapter and by Subject. Staff's work on the initial draft Ordinances during this period is summarized as follows:
  - Staff has completed the first drafts of the section containing the Annexation Area District Uses and the section containing Temporary Uses. Staff plans to provide a brief overview of these drafts along with the previously completed draft of the County District Uses section to the Committee at their January meeting for preliminary input.
  - Staff is in the process of incorporating recommended changes to the Ordinance sections that came from the Committee's review of the Policy and Technical Issues. This is a very involved process that begins with adding notations to specific current sections in the master indices for the Ordinances to ensure the changes are tracked. The index notations reference the policy or technical issue and the specific edits that are to be made. As Staff begins to draft various sections, we will rely on these references to ensure that the changes are made accurately and completely throughout the Ordinances.

### **Upcoming Meetings Scheduled:**

- #20 – January 4, 2019 (immediately following Commission Business Meeting):
  - Revised sign regulations Staff Report
  - Country inn single-family dwelling requirement (new issue)
  - Workshop concept for presentation of draft ordinances
  - Brief overview of draft Uses sections

- #21 – To be scheduled pending completion of County Attorney Review of Policy and Technical Issues:
  - P12 – Private Access Easements (remaining issues, previously reviewed by Committee)
  - P15 – Special Use Permits on Private Access Easements (remaining issues, previously reviewed by Committee)
  - T5 – Attached Residential (AR) District reference (not reviewed by Committee)
  - T14 – Subdivisions and Boundary Line Adjustments on Jurisdictional Boundaries (remaining issues, previously reviewed by Committee)
  - T15 – Family Divisions (not reviewed by Committee)

**Other Staff Items in Process:**

- Initial development of the Guidance Manual outline
- Revise Work Plan upon completion of Step 2

## 2018 Economic Development Advisory Committee

| Meetings            | 3/21/2018 |           | 7/18/2018 |           | 11/14/2018 |           | Total Attend |    |            |
|---------------------|-----------|-----------|-----------|-----------|------------|-----------|--------------|----|------------|
|                     | 1/17/2018 | Cancelled | 5/16/2018 | No Quorum | 9/19/2018  | Cancelled |              |    | 12/19/2018 |
| Barb, Jim           | 0         | 0         | 1         | 1         | 1          | 0         | 1            | 4  | 80%        |
| Conrad, Bryan       | 0         | 0         | 0         | 0         | 0          | 0         | 0            | 0  | 0%         |
| Dunkle, Christy     | 1         | 0         | 1         | 1         | 1          | 0         | 0            | 4  | 80%        |
| Kraybill, Christina | 1         | 0         | 1         | 0         | 1          | 0         | 1            | 4  | 80%        |
| McKay, Bev          | 1         | 0         | 1         | 0         | 1          | 0         | 0            | 3  | 60%        |
| Milleson, John      | 1         | 0         | 0         | 1         | 1          | 0         | 0            | 3  | 60%        |
| Myer, Eric          | 1         | 0         | 0         | 0         | 0          | 0         | 1            | 2  | 40%        |
| Pritchard, Betsy    | 1         | 0         | 1         | 1         | 0          | 0         | 1            | 4  | 80%        |
| Capelli, Len        | 0         | 0         | 1         | 1         | 1          | 0         | 1            | 4  | 80%        |
|                     | 6         | 0         | 6         | 5         | 6          | 0         | 5            | 28 |            |

### Highlights

January: Elected Chair John Milleson, Vice Chair Christina Kraybill  
Established bi-monthly schedule

March: Cancelled due to inclement weather.

May: Farmers Market Presentation  
Initial review of Economic Development Strategic Plan

July: No quorum, conducted informal review of Economic Development Strategic Plan including business directory  
Conducted informal review of Economic Development Strategic Plan including business directory

September: Electronic Meetings Policy  
Econ Dev Strategic Plan review

November: Cancelled

December: Visit Mt Airy Farm Market, Locke's Store, Rosemont Manor, Marios



## 2018 Industrial Development Authority of the Clarke County Virginia

| Meetings        | 1/25/2018 | 4/26/2018 | 7/26/2018 | 10/25/2018 | Totals |      |
|-----------------|-----------|-----------|-----------|------------|--------|------|
| Cochran, Mark   | 1         | 1         | 1         | 1          | 4      | 100% |
| Ferrell, Brian  | 0         | 1         | 1         | 0          | 2      | 50%  |
| Jones, Paul     | 1         | 0         | 0         | 0          | 1      | 25%  |
| Juday, David    | 1         | 1         | 0         | 1          | 3      | 75%  |
| Koontz, English | 0         | 1         | 1         | 1          | 3      | 75%  |
| Pierce, Rodney  | 1         | 0         | 0         | 1          | 2      | 50%  |
| Waite, William  | 1         | 1         | 1         | 1          | 4      | 100% |
| Weiss, David    | 1         | 1         | 1         | 1          | 4      | 100% |
| Capelli, Len    | 1         | 0         | 1         | 1          | 3      | 75%  |
|                 | 7         | 6         | 6         | 7          |        |      |

### Highlights:

January: Elected: Chair Mark Cochran, Vice Chair Brian Ferrell, Secretary/Treasurer  
Set presentations for April 26 quarterly meeting.  
Invited EDAC members to attend the April 26 quarterly meeting.

April: Approved Investment transfer  
Approved forms / fees Waterloo Area Water and Sewer Subsidy  
Presentation by People, Inc.

July: Presentation by LFCC SBDC  
Presentation by Len Capelli  
Funding request for hotel study - no action  
Business Park Lot 18 encroachment update

Oct: Approved LFCC SBDC Grant \$6,000  
Approved BMS Hotel Feasibility Study Request \$10,000  
Approved Electronic Meetings Policy  
Econ Strategic Plan Review Kick Off  
Business Park Lot 18 encroachment update

**2018 Joint Administrative Services Board**

| Meetings      | 1/22/2018 | 2/26/2018 | 3/26/2018 | 4/23/2018<br>Cancelled | 5/21/2018<br>Cancelled | 6/25/2018 | 7/23/2018<br>Cancelled | 8/27/2018<br>Cancelled | 9/24/2018<br>Cancelled | 10/22/2018 | 11/26/2018<br>Cancelled | 12/17/2018 | Total<br>Attend |        |
|---------------|-----------|-----------|-----------|------------------------|------------------------|-----------|------------------------|------------------------|------------------------|------------|-------------------------|------------|-----------------|--------|
| David Weiss   | 1         | 1         | 1         | 0                      | 0                      | 1         | 0                      | 0                      | 0                      | 0          | 1                       | 0          | 1               | 6 100% |
| David Ash     | 1         | 1         | 1         | 0                      | 0                      | 1         | 0                      | 0                      | 0                      | 0          | 1                       | 0          | 1               | 6 100% |
| Chuck Bishop  | 1         | 1         | 1         | 0                      | 0                      | 1         | 0                      | 0                      | 0                      | 0          | 1                       | 0          | 1               | 6 100% |
| Sharon Keeler | 1         | 1         | 1         | 0                      | 0                      | 1         | 0                      | 0                      | 0                      | 0          | 1                       | 0          | 1               | 6 100% |
| Chip Schutte  | 1         | 1         | 1         | 0                      | 0                      | 0         | 0                      | 0                      | 0                      | 0          | 1                       | 0          | 1               | 5 83%  |
| Tom Judge     | 1         | 1         | 1         | 0                      | 0                      | 1         | 0                      | 0                      | 0                      | 0          | 1                       | 0          | 1               | 6 100% |
|               | 6         | 6         | 6         | 0                      | 0                      | 5         | 0                      | 0                      | 0                      | 0          | 6                       | 0          | 6               | 23     |

Highlights

January: Elected Chair David Weiss, Vice Chair Chip Schutte  
Established monthly schedule

February: 2019 Health Insurance.  
ERP Update- Postpone Go Live

March: Purchasing Policy Proposed Amendments  
ERP Update- Postpone Go Live until June 26th

April: Cancelled: Insufficient agenda

May: Cancelled: Insufficient agenda

June: GASB75  
ERP Update  
FY2019 Salary Increases- JAS

July: Cancelled: Insufficient agenda

August: Cancelled: Insufficient agenda

September: Cancelled: Insufficient agenda

October: GASB75  
Health Insurance Renewal Options  
ERP Update- Go Live January 2019

November: Cancelled: Insufficient agenda

December: GASB75  
Nationwide 457: Fixed Account  
FY18 Audit Update  
ERP Update